MINUTES OF THE PROCEEDINGS

OF

THE COUNCIL

OF THE

CITY OF PITTSBURGH

FOR THE YEAR

1984

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755	DiLeonardo, D.	525.00	Harrisburg, PA	06-04-84	664
1321	Gabriel, J.	1,000.00	Philadelphia, PA	09-18-84	1117
857	Robinson, H.	700.00	Philadelphia, PA	06-24-84	735
1321	Wellons, C.	1,000.00	Philadelphia, PA	09-18-84	1117
			CONTROLLERS OFFICE		
856	Haley, J.	2,000.00	Washington, DC	07-09-84	735
123	Johnson, R.	1,600.00	San Antonio, TX	04-13-84	113
1381	Kubit, R.	1,600.00	San Antonio, TX	09-15-84	1153
856	Lapia, A.	2,000.00	Washington, DC	07-09-84	735
359	O'Neil, R.	1,300.00	San Diego, CA	03-21-84	284
753	Pugh, R.	140.00	Seven Springs, PA	04-06-84	664
1324	Pugh, R.	1,500.00	Madison, WI	10-14-84	1118
1653	Terrence, J.	300.00	Pittsburgh, PA	12-10-84	1409
212	Vaughn, P.	3,200.00	San Antonio, TX	04-18-84	209
			CITY PLANNING		
1517	Barclay, S.	750.00	Pittsburgh, PA	11-13-84	1286
1517	Barnes, B.	750.00	Pittsburgh, PA	11-13-84	1286
819	Boyce	550.00	Harrisburg, PA	05-24-84	706

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			CITY PLANNING		
497	Boyce, C.	525.00	Washington, DC	03-30-84	381
1518	Boyce, C.	208.00	Washington, DC	06-22-84	1286
1606	Boyce, C.	750.00	Baltimore, MD	10-23-84	1353
12	Branca, S.	980.00	Norfolk, VA	01-24-84	26
1517	Branca, S.	750.00	Pittsburgh, PA	11-13-84	1286
819	Caroline	550.00	Harrisburg, PA	05-24-84	706
1683	Downing, J.	850.00	Atlanta, GA	12-06-84	1438
1248	Downing, Jane Lorince, T.	1,200.00	Baltimore, MD	08-23-84	1032
646	Eannarino, M.	130.00	Pittsburgh, PA	05-09-84	568
11	Erenrich, G.	300.00	Washington, DC	01-17-84	26
574	Ivy, J.	400.00	Lancaster, PA	04-24-84	463
819	Lurcott	550.00	Harrisburg, PA	05-24-84	706
497	Lurcott, R.	525.00	Washington, DC	03-30-84	381
37	Lurcott, R.R.	350.00	New York, NY	01-29-84	56
1516	Lurcott, Robert	1,390.00	Boston, MA	11-6-84	1286
1517	Rahaim, J.	750.00	Pittsburgh, PA	11-13-84	1286
1004	Wells, E.	1,600.00	Seattle, WA	08-12-84	899
1607	Wells, E. Imbimbo, J.	350.00	Washington, DC	11-06-84	1353
612	Young, R.	700.00	Washington, DC	05-23-84	507
1367	Young, R.	450.00	Philadelphia, PA	10-04-84	1149
			ENGINEERING AND CONSTRUCTION		
46	Barbati, G.	555.00	Columbus, OH	02-28-84	58
255	Barbati, J.	555.00	Columbus, OH	02-28-84	228
580	Connors, R.	1,130.00	Pittsburgh, PA	06-04-84	464
255	Dotson, N.	485.00	Amending Bill 46	02-28-84	228
255	Graham, W.	555.00	Columbus, OH	02-28-84	228
580	Killmeyer, D.	1,130.00	Pittsburgh, PA	06-04-84	464
1756	Kubit, A.J.	250.00	New Cumberland, PA	11-08-84	1511
580	McDermott, P.	1,130.00	Pittsburgh, PA	06-04-84	464
1686	Meyer, T.	1,000.00	Miami, FL	09-09-84	1438
256	Semieraro, J.	72.00	Sewickley, PA	02-28-84	228

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BILL	SUBJECT	AMOUNT	TRAVEL	DATE	PAGE
			ENGINEERING AND CONSTRUCTION		
580	Semieraro, J.	1,130.00	Pittsburgh, PA	06-04-84	464
580	Stempkowski, M.	1,130.00	Pittsburgh, PA	06-04-84	464
580	Tumas, J.	1,130.00	Pittsburgh, PA	06-04-84	464
256	Tunas, J.	72.00	Sewickley, PA	02-28-84	228
580	Valent, J.	1,130.00	Pittsburgh, PA	06-04-84	464
580	Weres, J.	1,130.00	Pittsburgh, PA	06-04-84	464
			EMERGENCY MEDICAL SERVICES		
486	Burgman, G.	750.00	Chicago, IL	03-07-84	379
1365	Burgman, G.J.	137.55	Harrisburg, PA	06-20-84	1149
327	Cannon, G.	1,500.00	Cincinnati, OH	03-18-84	280
538	Cannon, G.	700.00	Emmitsburg, MD	04-16-84	415
1597	Cannon, G.M.	250.00	Altoona, PA	10-12-84	1352
328	Conley, R.	2,400.00	Cincinnati, OH	03-17-84	280
328	Faulkner, J.	2,400.00	Cincinnati, OH	03-17-84	280
1244	Full, Robert Rowntree, John	1,100.00	Edison, NJ	08-26-84	1032
1596	Garreston, D.	600.00	Edison, NJ	09-23-84	1351
1365	Garrestson, D.	137.55	Harrisburg, PA	06-20-84	1149
327	Garretson, D.	1,500.00	Cincinnati, OH	03-18-84	280
1243	Garretson, Douglas Harris, G.	975.00	Bethesda, MD	08-23-84	1031
328	Kolenda, R.	2,400.00	Cincinnati, OH	03-17-84	280
328	Moran, J.	2,400.00	Cincinnati, OH	03-17-84	280
			ENVIRONMENTAL SERVICES		
1284	Gibson, P.	1,050.00	Philadelphia, PA	09-12-84	1112
1668	Gibson, P.	450.00	Harrisburg, PA	10-16-84	1435
1284	Lewis, R.	1,050.00	Philadelphia, PA	09-12-84	1112
410	Lyons, E.	3,200.00	Tuscaloosa, AL	04-02-84	312
662	McMeekin, B.	2,600.00	Arbor, MI	05-14-84	593
1284	McMeekin, B.	1,050.00	Philadelphia PA	09-12-84	1112

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BILL	SUBJECT	AMOUNT	TRAVEL	DATE	PAGE
			ENVIRONMENTAL SERVICES		
662	Stockton, G.	2,600.00	Arbor, MI	05-14-84	593
410	Watson, M.	3,200.00	Tuscaloosa, AL	04-02-84	312
			DEPARMENT OF FINANCE		
267	Bakst, L.	50.00	Greentree, PA	02-21-84	230
56	Bendetti, B.	310.00	Pittsburgh, PA	02-06-84	62
455	Bendetti, B.	1,300.00	Orlando, FL	05-29-84	340
775	Boggess	500.00	Edison, NJ	06-25-84	675
289	Cortese, A.	150.00	Monroeville, PA	03-06-84	252
775	Faulkner	500.00	Edison, NJ	06-25-84	675
289	Florian, R.	150.00	Monroeville, PA	03-06-84	252
289	Kelly, J.	150.00	Monroeville, PA	03-06-84	252
266	Know, J.	2,900.00	San Antonio, TX	04-14-84	230
1168	Leber, J.T.	550.00	Baltimore, MD	08-23-84	1007
534	Marks, C.		Philadelphia, PA	04-27-84	414
289	McKaveney, D.	150.00	Monroeville, PA	03-06-84	252
291	Packer, D.		Harrisburg, PA	02-27-84	252
1383	Robinson, S.	225.00	Pittsburgh, PA	11-07-84	1153
289	Russini, J.	150.00	Monroeville, PA	03-06-84	252
790	Schillo, S.	75.00	Pittsburgh, PA		677
1436	Schmeiser, R.		1984 Deposit Report	8-31-84	1202
652	Sciortino, H.	625.00	Hershey, PA	05-10-84	569
289	Stahoviak, J.	150.00	Monroeville, PA	03-06-84	252
266	Turner, J.	2,900.00	San Antonio, TX	04-14-84	230
534	Turner, J.		Philadelphia, PA	04-27-84	414
289	Walters, E.	150.00	Monroeville, PA	03-06-84	252
301	Wellons, C.	2,300.00	Phoenix, AR	03-19-84	254
289	Wisloski, R.	150.00	Monroeville, PA	03-06-84	252
534	Zebrowski, M.		Philadelphia, PA	04-27-84	414

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			DEPARTMENT OF FIRE		
849	Cimino, D.	875.00	Philadelphia, PA	06-27-84	734
1286	Conley, R.	150.00	Greensburg, PA	09-08-84	1112
846	Harper, J.	700.00	Philadelphia, PA	06-26-84	733
848	Hegerle, H.	875.00	Philadelphia, PA	06-27-84	733
1286	Hitchings, T.	150.00	Greensburg, PA	09-08-84	1112
692	Imhoff, P.	850.00	New Orleans, LA	05-24-84	639
845	Imhoff, P.	932.00	New Orleans, LA	05-24-84	733
847	Imhoff, P.	950.00	Philadelphia, PA	06-26-84	733
1863	Imhoff, P.J.	821.50	Savannah, GA	11-01-84	1632
89	Lang, R. Jedrzejewski, R.	1,000.00	Tampa, FL	01-24-84	87
1286	Moran, J.	150.00	Greensburg, PA	09-08-84	1112
1503	Moran, John	50.00	Emittsburg, MD	11-14-84	1284
846	Somma, J.	700.00	Philadelphia, PA	06-26-84	733
1286	Thomas, E.	150.00	Greensburg, PA	09-08-84	1112
693	Thomas, E.	250.00	Emmitsburg, MD	06-17-84	639
1502	Thomas, E. Conley, R.	1,100.00	Edison, NJ	10-2-84	1284
1286	Westphall, G.	150.00	Greensburg, PA	09-08-84	1112
1890	Imhoff, P.J. Hegerle, H. Liff, B.	2,300.00	Peoria, IL	01-08-85	1658
			DEPARTMENT OF GENERAL SERVICES		
113	Burger, B.	525.00	Monroeville, PA	02-20-84	112
1539	Burger, B.	1,300.00	Chicago, IL	10-15-84	1312
812	Emenecker, R.	1,300.00	Berkley, CA	05-24-84	704
182	Jacoby, G.	400.00	Philadelphia, PA	02-09-84	204
730	Malloy, J.	350.00	Pittsburgh, PA	06-21-84	661
1072	McNamara, J.	1,500.00	Baltimore, MD	08-21-84	962
1356	Mill, R. Sadowski, E.	550.00	Pittsburgh, PA	11-6-84	1140
481	O'Black, F.		New York NY	03-22-84	379

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			HOUSING AUTHORITY		
441	Lurcott, R.	1,100.00	Minneapolis, MN	05-06-84	338
			DEPARTMENT OF LAW		
124	Pellegrini, D.	750.00	Washington, DC	04-14-84	113
1349	Pellegrini, D.	1,200.00	Fort Worth, TX	10-28-84	1130
1523	Pellegrini, D.		Harrisburg, PA	11-20-84	1287
			DEPARMENT OF MAYOR'S OFFICE		
265	Failey, M.	3,500.00	San Diego, CA	03-10-84	229
265	Gerall, M.	3,500.00	San Diego, CA	03-10-84	229
1319	Gerall, M.	1,000.00	Kansas City, MO	09-22-84	1117
454	Matter, D.	1,490.00	San Antonio, TX	04-29-84	340
1483	Matter, D.	1,500.00	Boston, MA	10-17-84	1234
1320	Reilly, M.	600.00		09-13-84	1117
894	Sickle, J.	600.00	Washington, DC	06-12-84	762
172	Simms, J.	850.00	Atlanta, GA	04-16-84	140
831	Stillwagon, L.	135.00	Greentree, PA	07-13-84	708
22	Whitmer, G.	300.00	Harrisburg, PA	11-30-83	28
651	Whitmer, G.	500.00	Lancaster, PA	04-26-84	569
788	Whitmer, G.	700.00	Allentown, PA	06-07-84	677
1167	Whitmer, G.	300.00	Harrisburg, PA	07-30-84	1007
1318	Whitmer, G.	300.00	Harrisburg, PA	08-22-84	1117
1347	Whitmer, G.	300.00	Harrisburg, PA	09-14-84	1130
1842	Whitmer, G.	350.00	Harrisburg, PA	11-27-84	1587
1652	Whitmer, G.R.	500.00	Harrisburg, PA	11-19-84	1409
265	Wilson, J.	3,500.00	San Diego, CA	03-10-84	229

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			DEPARTMENT OF PARKS AND RECREATION		
1109	Ashley, D.				
	Merritt, C.B.		Davenport, IA	07-26-84	997
1746	Balbot, B.	100.00	Dingmans Ferry, PA	12-07-84	1509
733	Bell, W.S.	500.00	Columbus/Cincinnati Zoo	05-10-84	661
1747	Billin, K.		Island of Grant Turks, Carribean	12-15-84	1509
1298	Boyce, C.	300.00	Washington, DC	09-08-84	1114
1038	Bradley		San Diego, CA	08-08-84	937
535	Brown, L.	720.00	Miami, FL	05-10-84	415
1293	Brown, L.	1,190.00	Orlando, FLA	10-20-84	1113
324	Caplan, B.	730.00	New York, NY	03-28-84	279
1674	Caplan, B.J.				
	Merritt, C.B.	400.00	Washington, DC	11-09-84	1436
949	Clack, L.	420.00	Philadelphia, PA	04-28-84	850
1338	Clack, L.	700.00	Miami, FL	09-10-84	1129
996	Costanzo, P.		Laurel Highlands Hiking	07-23-84	897
322	Davis, S.	470.00	Wheeling, WV	03-18-84	279
734	Davis, S.		Nawsaw County, NY	06-10-84	661
997	Dorsey, J.	300.00	Shippensburg, PA	08-08-84	898
997	DuBose, C.	300.00	Shippensburg, PA	08-08-84	898
1673	Duncan, L.				
	DeMaria, A.				
	Herron, P.		Cleveland, OH	11-16-84	1436
996	Dziubek, D.		Laurel Highlands Hiking	07-23-84	897
323	Frankel, K.	448.00	Mt. Pocono, PA	04-08-84	279
996	Friday, R.		Laurel Highlands Hiking	07-23-84	897
1744	Friday, R.	85.00	Philadelphia, PA	11-09-84	1509
1295	Hayes, H.	1,150.00	Miami, FL	09-09-84	1114
139	Hays, H.		Ashboro, NC	01-26-84	135
321	Hendrickson, L.	98.00	Dingmans Ferry, PA	04-15-84	279
1038	Herron		San Diego, CA	08-08-84	937
1038	Herron		San Diego, CA	08-08-84	937
1038	Hojanski		San Diego, CA	08-08-84	937

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	DEPARTMENT OF PARKS AND RECREATION				
140	Holder, H.				
	Reese, J.	100.00	CPR classes		136
888	Kinger, L.	170.00	Pittsburgh, PA	07-13-84	761
605	Kolling, W.	50.00	Erie, PA	04-05-84	506
996	Konecky, L.		Laurel Highlands Hiking	07-23-84	897
1038	Krashna		San Diego, CA	08-08-84	937
1038	Mancuso		San Diego, CA	08-08-84	937
323	Mancuso, C.	448.00	Mt. Pocono, PA	04-08-84	279
1296	Mancuso, C.	1,190.00	Orlando, FL	10-20-84	1114
32	Mancuso, C.				
	Herron, A.		San Diego, CA	01-24-84	55
997	McPherson, R.	300.00	Shippensburg, PA	08-08-84	898
323	Merrit, C.	448.00	Mt. Pocono, PA	04-08-84	279
1500	Merritt, A.W.	825.00	Washington, DC	10-21-84	1283
139	Meyer, T.		Ashboro, NC	01-26-84	135
33	Meyer, T.		Chicago, IL,		
	Romanowski, K.		San Francisco,		
	Hays, H.		San Diego, CA	01-09-84	55
1297	Miller, J.		Tuxedo, NY	09-08-84	1114
321	Parker, W.	98.00	Dingmans Ferry, PA	04-15-84	279
1291	Penix, P.	80.00	Fombell, PA	09-05-84	1113
1075	Petrakis, M.		Shippinsburg, PA	08-08-84	962
1294	Pizzi, F.	820.00	Countryside, IL	09-18-84	1113
1108	Reed, S.				
	Sharbalugh, E.				
	Davis, S.				
	Watts, H.				
	Krausse, K.				
	Van Buren, L.		Penn State University	08-10-84	997
436	Reese, J.	1,000.00	New Haven, CT	03-27-84	338
1292	Riley, A.	80.00	Fombell, PA	09-10-84	1113
1038	Robinson		San Diego, CA	08-08-84	937
997	Rodgers, J.	300.00	Shippensburg, PA	08-08-84	898
139	Romanski, K.		Ashboro, NC	01-26-84	135
1297	Roth, D.		Tuxedo, NY	09-08-84	1114
887	Rutkowski, G.	150.00	Columbus, OH	06-03-84	760

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230	Senko, M.	800.00	Washington, DC	04-04-84	224
1594	Senko, M.A.	520.00	Philadelphia, PA	11-26-84	1351
668	Sharbaugh, E.		Virginia Beach, VA	05-03-84	594
1038	Sneed		San Diego, CA	08-08-84	937
1501	Wagner, R.A., Dr.	910.00	Louiseville, KT	10-15-84	1284
1745	Weber, B.	600.00	Miami, FL	01-05-85	1509
733	Zeborski, M.	500.00	Columbus/Cincinnati Zoo	05-10-84	661
			DEPARTMENT OF PERSONNEL AND CIVIL SERVICES		
211	Brown, B.	135.00	Pittsburgh, PA	02-16-84	208
754	Brown, B.	300.00	Grantville, PA	05-23-84	664
358	Cunko, M.	30.00	Pittsburgh, PA	03-16-84	284
674	Dickson, W.	2,100.00	New York, NY	05-21-84	595
210	Erny, G.	530.00	Philadelphia, PA	02-23-84	208
631	Erny, G.	730.00	Chicago, IL	05-21-84	509
895	Erny, G.	786.89	Chicago, IL	05-21-84	762
674	Ewart, J.	2,100.00	New York, NY	05-21-84	595
211	Farley, D.	135.00	Pittsburgh, PA	02-16-84	208
357	Farley, D.	375.00	Harrisburg, PA	03-05-84	284
931	Farley, D.	350.00	Harrisburg, PA	07-18-84	798
1350	Farley, D.	350.00	Harrisburg, PA	09-20-84	1130
1351	Farley, D.	70.00	Baltimore, MD	09-11-84	1131
1695	Farley, D.	350.00	Harrisburg, PA	11-15-84	1439
932	Fortson, W.	600.00	Harrisburg, PA	06-22-84	798
1322	Fortson, W.	180.00	Harrisburg, PA	08-22-84	1117
932	Jarxabek, B.	600.00	Harrisburg, PA	06-22-84	798
1797	Klein, J.	275.00	Baltimore, MD	12-17-84	1555
211	Scarpino, G.	135.00	Pittsburgh, PA	02-16-84	208
719	Scarpino, G.	200.00	Harrisburg, PA	05-10-84	643
789	Scarpino, G.	400.00	Hunt Valley, MD	05-30-84	677
830	Scarpino, G.	125.00	New York, NY	07-19-84	708
173	Schneider, B.	1,500.00	Clearwater, FL	03-11-84	140
674	Schneider, B.	2,100.00	New York, NY	05-21-84	595

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1382	Schneider, B. Finelli, C.	300.00	Pittsburgh, PA	10-17-84	1153
1382	Schneider, B. Finelli, C.	300.00	Pittsburgh, PA	10-17-84	1153
1654	Schneider, B.M.	50.00	Washington, DC	12-01-84	1410
674	Schugar, P.	2,100.00	New York, NY	05-21-84	595
211	Smith, M.	135.00	Pittsburgh, PA	02-16-84	208
	DEPARTMENT OF POLICE				
231	Diskin, J.	560.00	Greentree, PA	03-08-84	225
231	Flannigan, J., Sgt.	560.00	Greentree, PA	03-08-84	225
231	McCue, T.	560.00	Greentree, PA	03-08-84	225
231	Mullen, W., Lt.	560.00	Greentree, PA	03-08-84	225
539	O'Neill, L., Lt. Amend Bill 231	560.00	Pittsburgh, PA	03-08-84	415
	DEPARTMENT OF PUBLIC WORKS				
604	Bell, W.		Philadelphia, PA	04-27-84	506
599	Botsford, D.	1,900.00	Washington, DC	05-17-84	505
600	Earnest, E.	900.00	Drummondville, Quebec	04-29-84	505
112	Emencker, R.		Washington, DC	03-20-84	111
318	Emenecker, R.		Madison, WI	04-11-84	278
524	Emenecker, R.	1,100.00	Las Vegas, NV	06-03-84	412
599	Emenecker, R.	1,900.00	Washington, DC	05-17-84	505
1032	Emenecker, R.	1,450.00	Tucson, AR	09-23-84	936
1538	Emenecker, R.	290.00	Washington, DC	09-19-84	1312
597	Gaetano, L.	499.00	Fairborne, OH	03-03-84	505
598	Gaetano, L.	1,350.00	Edmonton, Alberta	05-13-84	505
973	Gaetano, L.	800.00	Philadelphia, PA	09-15-84	880
1285	Gigliotti, F.	1,800.00	Philadelphia, PA	09-14-84	1112
604	Grebb, R.		Philadelphia, PA	04-27-84	506

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			DEPARTMENT OF PUBLIC WORKS		
599	Jacoby, G.	1,900.00	Washington, DC	05-17-84	505
605	Laffey, F.	50.00	Erie, PA	04-05-84	506
431	Lenkner, J.	1,975.00	Las Vegas, NV	05-01-84	337
605	McDonough, J.	50.00	Erie, PA	04-05-84	506
597	Miller, R.	499.00	Fairborne, OH	03-03-84	505
600	Moran, J.	900.00	Drummondville, Quebec	04-29-84	505
181	Newman, W.	200.00	Pittsburgh, PA	03-28-84	204
1330	Perella, A.	750.00	Cleveland, OH	09-12-84	1127
1330	Recker, R.	750.00	Cleveland, OH	09-12-84	1127
431	Staab, L.	1,975.00	Las Vegas, NV	05-01-84	337
1239	Staab, L.	980.00	Denver, CO	07-19-84	1031
1463	Staab, L. Lenkner, J.	1,250.00	New York, NY	10-01-84	1230
597	Terasi, A.	499.00	Fairborne, OH	03-03-84	505
597	Tortorete, J.	499.00	Fairborne, OH	03-03-84	505
1285	Tortorete, J.	1,800.00	Philadelphia, PA	09-14-84	1112
1785	Walsh, M.	150.00	New Cumberland, PA	11-08-84	1553
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1495	Ciccone, P. Koedel, M.	200.00	Greentree, PA	11-1-84	1283
526	Guenther, C.	1,250.00	Dallas, TX	06-10-84	412
114	Kuchta, J.	2,500.00	St. Louis, MO	03-05-84	112
226	Stahoviak, J.A.	2,500.00	Dallas, TX	06-10-84	224
114	States, S.	2,500.00	St. Louis, MO	03-05-84	112
881	States, S.	150.00	Cincinnati, OH	05-21-84	760
1073	Wislowski, R.	250.00	University Park, PA	08-06-84	962

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1720	Neville St. N./412	Group Care Facility	04	1486

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1283	Gem Way	Dedication of Property	10	1111, 1161
1583	Irwin Ave. Chester Ave. Burgess St.	Public Highway Purposes	27	1349, 1445
1624	Brighton Woods Rd.	Northgate Redevelopment Accepting	27	1404, 1491
		CONDEMNING		
71	Block & Lot 22-M-119	Public Highway Purposes	25	84, 190
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111	Nicholas Sorozak	Sewer	20	111, 212
		ENCROACHMENTS		
69	Vance Way	Regional Industrial Encroachment	04	84, 190
222	Saline St.	Ambrogio, Joseph	15	224, 287
317	Arlington Ave./916	Hawks, Ward	18	278, 349
402	East Liberty Blvd. Dahlen St.	Port Authority Bridge Structure	12	312, 386
403	Homewood Ave. N.	Port Authority Bridge	13	312, 386
404	Graham St. S.	Port Authority E. Busway	07	312, 386
405	Aiken Ave. S.	Port Authority E. Busway	07	312, 387
406	Brownell St.	Port Authority - Wall	07	312, 387
407	Centre Ave.	Port Authority E. Busway	07/08	312, 387
408	Baum Boulevard	Port Authority E. Busway	08	312, 387
409	Stokes Way	Brahler, Walter	27	312, 387
467	Penn Ave./3012 Amend 971/83	Extending time limit	02	377, 480
471	Liberty Ave.	L.D. Astorino & Assoc.	01	378, 481
472	Ravenna St.	Wall strucutures	07	378, 481
473	Millvale Ave.	East Busway	08	378, 481
474	Negley Ave. S.	East Busway	07	378, 481
475	Penn Ave.	East Busway	07	378, 481
476	Tay Way	East Busway	07	378, 482
523	Winthrop St.	Regional Industrial	04	412, 548

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596	Stewart Ave.	Hart, Robert J.	32	505, 600
661	Alequippa St.	University of Pittsburgh	04	593, 680
841	Nobles Rd.			
	Saw Mill Run Blvd.	Stop and Go Food Stores	29	732, 822
870	Wood St./430	Pizza Hut Inc.	01	758, 860
871	Chamber of Commerce			
	Building	(GTE) Sprint	02	758, 860
872	Fifth Ave./332	Warner Center	02	758, 861
873	Brackenridge St.	U.S. Veteran's	05	758, 861
874	Bellefonte St./738	J.B. Winberie	07	758, 861
905	Highland Ave./121	Highland Building	11	794, 885
1030	Fourth Ave./301			
	Repeal 973/80	Bank Center Limited		935, 1017
1064	Georgia Ave.	Carrera, Timothy	30	961, 1050
1065	Dagmar Ave./1858	Kirsch, James/Judi	19	961, 1051
1066	Moonstone Dr./702	Niebel, Thomas/Jill	24	961, 1051
1067	First Ave.	Widen Width of Sidewalks		962, 1051
1100	Sunapee Way	Zullo, Dom J.	14	996, 1078
1101	Suisman St.	Wright, David A.	23	996, 1078
1235	Knox Ave./300	Miller, Albert	18	1030,1078
1236	Forbes Ave.	Sheetz, Inc.	04	1030,1079
1237	Fifth Ave./1304	Corleone's Pizza		1030,1079
1238	Second Ave./5341	Murray, DeWayne		1030,1079
1282	Liberty Ave.			
	Amend 303/84	L.D. Astorino & Assoc.	01	1111, 1253
1354	Henry St.	Software Engineering	14	1140, 1254
1459	Maolis Way/			
	Lincoln Ave. N.	McDonald Corporation	21	1230, 1320
1461	Allies Blvd./323	Cappy & Company, Inc.	01	1230, 1320
1462	Fourth Ave./312	Union National Bank	01	1230, 1320
1493	Hallowell St./1734	Wiessenfeld, William J.	31	1282, 1382
1581	Wood St./305	YWCA	01	1349, 1444
1582	Saw Mill Run/2237	Barton Motors Co.	32	1349, 1444
1625	Fifth Ave./225	Park Building	02	1404, 1492
1626	Liberty Ave./921	Ewart Building	02	1405, 1521
1697	Maridale St.			
	Block & Lot 115-C-341	Duquesne Light Co.	26	1440, 1522
1698	Lang Ave. N.	Duquesne Light Co.	13	1440, 1522
1709	South 19th St./72	Stofesky, Mary Lou	17	1484, 1562

PROPERTY
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		ENCROACHMENTS		
1711	Greenfield Ave.	Peoples Natural Gas Co.	04	1484, 1562
1733	Edith St.	Equitable Gas Co.	19	1507, 1614
1734	Forbes Ave./210	G.D. Ritzy's, Inc.	02	1507, 1614
1460	Banksville Rd./2898	Redwood Inn	20	1230, 1320
994	Stadium Drive	Sutherland Drive	04	978
1087	P.J. McArdle	Arlington/Grandview		964, 1078
1585	Ross St.	Court Place	01	1350, 1662
		PURCHASING		
1623	Pennsylvania Ave.	Eugene's Bar Singer, Pauline	25	1404, 1491
		CONDEMNING		
1584	Pennsylvania Ave. Block & Lot 13-J-180	Casiglio, Michael/Emiele	25	1350, 1445
		VACATING		
109	Moravian Way	Sewer easement	23	111, 212
110	Moravian Way	Sewer easement	23	111, 212
136	Square Way	Sony St. to Chainman Way	13	135, 233
180	Mann St.	Belonda St. to Grace St.	19	204
288	Congress St.	Water and sewer lines	03	251, 571
398	Maryland Ave.	Port Authority E. Busway	07	311, 385
399	Ridgway St.	Port Authority E. Busway	06	311, 386
400	Ruthven St.	Port Authority E. Busway	06	311, 386
401	33rd St.	Port Authority E. Busway	06	311, 386
470	Ivy St.	Port Authority E. Busway	07	377, 481
477	Summerlea St.	Port Authority E. Busway	07	378, 482
478	College Ave.	Port Authority E. Busway	07	378, 482
479	Pierce St. Unnamed	Port Authority E. Busway	07	378, 482
480	Lang Ave. N.	Port Authority E. Busway	13	378, 482
564	Reese St.	Sewer line easement	19	461, 578
565	Centennial Way	Sewer line easement	05	462, 599
565	Conkling St.	Sewer line easement	05	462, 599
565	Francis St.	Sewer line easement	05	462, 599
565	Mayberry Way	Sewer line easement	05	462, 599

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BILL	LOCATION	SUBJECT	WARD	PAGE
		VACATING		
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803	Ravenna St.	Shady Ave.	07	703, 774
804	Carson St.	Ravenna St.	07	704, 774
805	Yardley Way	Ravenna St.	07	704, 774
806	Melmore Way	Shakespeare St.	07	704, 774
807	Swope St.	Ravenna St.	07	704, 775
808	Shady Ave.	Penn Ave.	07	704, 775
809	Emerson St.	Ravenna St.	07	704, 775
810	Shakespeare St.	Port Authority E. Busway	07	704, 775
842	Los Angeles Ave. Vodeli St.	Unnamed Way	19	732, 822
875	Idaho Way Neffle Way Vonark Way Nebo St.		16	758, 861
876	Mexico St. Unnamed	Falck Ave.	27	758,1419,1445
904	Shakespeare St. Vose St. Melmore Way	Sewer Line Easement	07	794, 884, 1490, 1522
1031	Bland St. (Blanche) Amend 1177/83	Extending 60 to 250 days	27	936, 1018
1068	Exchange Way	8th Ave.	02	962, 1051
1099	Idaho Way Neffle Way Vonark Way Nebo St.		16	758, 861
1281	Denver St.	Goal Company	05	1111, 1161
1735	Banksville Ave.	Easement	20	1507, 1696
1736	College St.	Easement	07	1508, 1662

PROPERTY
DEPARTMENT OF URA

		ACQUIRING		
194	Block & Lot 23-E-335	Vacant Property Review	25	206, 260
195	Block & Lot 45-M-68	North Side Associates	26	206,260,289

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196	Block & Lot 50-H-207			
	Block & Lot 50-H-208	Public owned properties	10	206, 260
247	Block & Lot 4-H-30	Avery, James Franklin, Sr.	18	227, 292
248	Block & Lot 22-D-138A	Dietrich, M.J./A.O./P.	25	227, 292
249	Block & Lot 23-E-117	Brooks, Cleo A./Mildred	25	227, 293
251	Block & Lots 50-H-179	Mason, E.D./Rogers, B.	10	228, 293
497	Bloomfield Bridge Arlington Ave. Amend Res. 474/76		253	
330	Block & Lot 174-R-32	Vacant Property Review	13	280, 352
738	Lamont St./1017	Manchester Community	21	662, 720
739	Kirkbride St./852	Vacant Property Review	25	662, 720
740	Kirkbride St./906	Vacant Property Review	25	662, 720
741	Kirkbride St./908	Vacant Property Review	25	662, 720
742	Forbes Ave./1509-11	Industrial Land Reserve	01	662, 720
743	Williams St./448	Residential Land Reserve	25	663, 720
915	Block & Lot 50-L-30	Boniecke, Chester C./ Acquire	10	796, 886
916	Block & Lot 50-M-10	Helen La Manna	10	796, 887
917	Block & Lot 50-M-11	Gold, Albert E./Manuel	10	796, 887
918	Block & Lot 50-L-22B	Gold, Arnold/Barbara	10	796, 887
919	Block & Lot 50-L-25D	Metzger, Robert/Bessie M.	10	796, 887
920	Block & Lot 50-L-25E	Fukus, Rudolph/Ann	10	796, 887
921	Block & Lot 50-M-12A	Leasure, Shirley A./Kim A.	10	797, 888
922	Block & Lot 22-F-283A	Hajducko, Paul/Anna	10	797, 888
923	Block & Lot 50-M-13A	Ebitt, Harry	10	797, 888
924	Block & Lot 50-M-18A	Mahon, Elizabeth J.	10	797, 888
925	Block & Lot 22-K-37	Fry, Victor C.	21	797, 888
926	Block & Lot 23-J-66	Blanchard, Louise	25	797, 889
1001	Block & Lot 174-L-155	Industrial Land Reserve	13	898, 979
1020	Various Block & Lots	Public owned properties	3/12/ 13/18 25/27	901, 980
1407	Block & Lots 7-B-211, 22-F-79, 22-F-80, 22-K-291, 22-K-292, 22-L-133, 22-L-137, 22-L-149A, 22-L-173 22-L-191	Residential Land Reserve Fund	21	1199, 1297

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DEPARTMENT OF URA

BILL	LOCATION	SUBJECT	WARD	PAGE
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1408	Block & Lot 23-G-133	Ghafor, Jo E.	25	1199, 1298
1478	Public owned property			1233, 1319
1553	Block & Lots 50-H-214, 50-H-215, 22-P-319	Vacant Property Review	10/21	1314, 1424
1554	Block & Lot 23-J-45	Hardwick, Lucis/Laureen	25	1314, 1424
1555	Block & Lot 82-L-135	Piccololino, Anthony/Rose	11	1314, 1425
1556	Block & Lot 50-M-13	O'Toole, Vincent M.	10	1314, 1425
1557	Block & Lot 50-L-32	Akins, Janice C.	10	1315, 1425
1558	Block & Lot 50-M-18C	Jones, Evelyn	10	1315, 1425
1677	Browns Way/5311	Kepka, Chester/Alma	10	1437, 1523
1678	Geranium St./10	Thornton, John/Sophie	25	1437, 1523
1679	Sandusky/1438	Alexiades, George/Mike	25	1437, 1523
1680	Swinburne St./3601	Niccoli, Emil	04	1437, 1524
1681	Rosetta St./5408	Pennington, Loretta F.	11	1437, 1524
		CONDEMNING		
250	Block & Lot 23-E-336	Vacant Property Review	25	227, 293
252	Various Block & Lots	Vacant Property Review	10	228, 293
		SALES		
93	PMMP Sideyard Sale	Various Redevelopers	6/12 13/16 18	87, 191
94	Lincoln Ave./1012	Highland Properties Co.	12	88, 191
95	Urban Homestead Rehabs.	Various Redevelopers		88, 191
96	Panke St./561	Owens, J. & Rogers, L	13	88, 191
97	Wylie Ave./1847	Nazareth Baptist Church	03	88, 191
190	Kedron St./7236	Sandra Strader	13	205, 259
191	Resale for Rehab.	Various Redevelopers	21	205, 260
192	Resale for Rehab.	Various Redevelopers	21	206, 260
193	PMMP Sideyard Sale	Various Redevelopers	10/13 18/25	206, 260
331	Landwehr Way	Shakespeare St. Sale	21	280, 352
332	Residential Land Reserve	Various Redevelopers	12/21	281, 352
333	Arlington Ave./168	McGoogan, John	18	281

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335	Liverpool St./1109	Grane Associates	21	281, 352
336	Warner/1331	Grane Associates	21	281, 353
337	Rush St./1406-08	Swinton, Marcella R.	21	281, 353
490	Urban Homestead Rehabs.	Various Redevelopers	3/5/12/13	380, 495
491	Urban Homestead Rehabs.	PMMP Sideyard Sale	13,20	380, 495
492	Residential Land Reserve	PMMP Sideyard Sale	10	380, 495
494	Davenport St./25	Eugene Howell	05	381, 495
495	Rush St./1420,1422 Warlo St./1104	Grane Associates	21	381, 495
496	Bidwell St./1108	Grane Associates	21	381, 495
608	Bailiff Way Riggo Way	Gardner, Edward F.	21	506, 609
609	Bidwell St./1106	Barrown, Joseph/Elneidia	21	506, 609
610	Columbus Ave./1322	Grane Associates	21	507, 609
611	Manhattan St./1011	Connors, Kathleen J.	21	507, 609
698	Adams/1407-1411	John W. Palarino	21	640, 682
699	Hopkins/1408-06	Stanford E. White	21	640, 682
700	Urban Homestead Rehabs.	Various Redevelopers Various Redevelopers	3/10/12 13/18	640, 682
701	Lake/1306-04	Eugene Thomas, Jr.	21	640, 682
702	E. Burgess/420	Richard L. Fugini	06	640, 683
703	Courtwright/13	Barringer, Raymond L. Sale	27	640, 683
704	Mulford/7627	Green, Charles	13	640, 683
744	Webster Ave. 1805,1807	Congress of Racial Equality	03	663, 722
908	Resale for Rehabs.	Historic Allegheny	21	795, 885
909	Resale for Rehabs.	Historic Allegheny	21	795, 885
910	Resale for Rehabs.	Various Redevelopers	21	795, 886
911	Liverpool/1437	The Women's Christian	21	795, 886
912	Residential Land Reserve		13,18	795, 886

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DEPARTMENT OF URA

BILL	LOCATION	SUBJECT	WARD	PAGE
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913	Residential Land Reserve	PMMP Sideyeard Sale	4/10 18/26	795, 886
914	Urban Homestead Rehabs.	Various Redevelopers	5/14 22/26	796, 886
953	Resale for Rehabs.	Garfield Jubilee	10	850, 912
954	Sheffield St./1313	Scates, Annie W.	21	850, 912
955	N. Charles St./1935	Mahaffey, Ann	25	851, 912
1002	Redevelopment Area 31	Parcels 117 and 124	03	898, 980
1043	William St./448	DeFazio, John/Pauline	19	937, 1018
1044	Jefferson St./408	Bousquette, Matthew	25	938, 1018
1045	Jefferson St./410, 414, 416	Bousquette, Matthew	25	938, 1019
1046	Sheffield St./213	Frasca, James J.	21	938, 1019
1047	Chateau St./1710	Pilgrim Baptist Church	21	938, 1019
1048	Urban Homestead Rehabs.	Various Redevelopers		938, 1019
1049	PMMP Sideyard Sale	Various Redevelopers		937, 1019
1076	Faulsey Way/1422	Portis, Constance A.	21	963, 1051
1409	Junilla St./516	Wofford, Ann B.	05	1199, 1298
1410	Centre Ave./1525-27	Bevilacqua, Anthony J.	03	1199, 1298
1411	Wylie Ave./1937-39	Ebenezer Baptist Church	03	1199, 1298
1412	Various Redevelopers	Residential Land Reserve	3/5/ 18/21	1199, 1298
1413	Various Redevelopers	Residential Land Reserve		1199, 1298
1414	Dearborn/5160	Lynch, David A.	10	1199, 1299
1415	Hermitage/7420	Vaughn, Mary A.	13	1200, 1299
1417	Warlo/1010	McDevitt, F.C./Elizabeth	21	1200, 1299
1418	N. Aiken/503-515	Steve Catranel Construction	10	1200, 1299
1419	Residential Land Reserve	Various Redevelopers	21, 25	1200, 1299
1420	Residential Land Reserve	Garfield Jubilee Assoc.	10	1200, 1300
		TRANSFERS		
493	Residential Land Reserve	Industrial Land Reserve	07	381, 495

PROPERTY
DEPARTMENT OF URA

BILL	LOCATION	SUBJECT	WARD	PAGE
		VACATING		
943	Tunnel St.	Sewer Easements	02	849, 942

DEPARTMENT OF WATER

ACCEPTANCE

1714	Meta St./Oneida St.	Waterline and Fire hydrant	19	1485, 1566

READ AND ADOPTED
PRESENTED BY MR. GIVENS

BILL	SUBJECT	PAGE
132	Support of the Pittsburgh-Allegheny County Vietnam Veterans Monument Committee	105
765	Recognizing May 13-19, 1984 as "Police Memorial Week"	659
798	Honoring Ferdinand Fritzie Zivic and expressing grief on his death	685
937	Honoring David L. Lawrence June 18, 1984 which would have been his 95th Birthday	825
967	Declaring June 27, 1984 "Vietnam Veterans Recognition Day" and welcoming General William C. Westmoreland	838
968	Congratulating Ron Villareale, President of Friends of the POW/MIA's	839
969	Encouraging implementation of strength and agility test for Police Officer candidates	844
1060	Proclaiming July 20, 1984 "National POW/MIA Recognition Day"	934
1575	Supporting Bloomfield/West Penn Health Fair and Fall Festival	1340
1852	Declaring December 5th, s985 as "Women Veterans Recognition Day"	1617
1901	Urging the Commonwealth of PA to rescind decision to phase out the Food Stamp Job Search Program	1668

READ AND ADOPTED
PRESENTED BY MR. GRABOWSKI

BILL	SUBJECT	PAGE
520	Commending Helen Migalic for "50 plus" years of service to Croation Fraternal Union	399
521	Commending Louis Z. Marohnic for "50 plus" years of service to Croation Fraternal Union	400
798	Honoring Ferdinand Fritzie Zivic and expressing grief on his death	685
799	Thanking Lou Zotter for service to Holy Family Church	687
1272	Request Pa Department of Environmental Resources to create an adjunct to their mine subsidence insurance program for all properties affected	1065
1576	Honoring West End Pulaski Society Lodge 1052 of the Polish National Alliance on their 75th Anniversary	1341
1663	Congratulating the Polish Falcons of America Nest 176 on their 75th Anniversary	1428
1814	Request re-evaluation of the Three Rivers Stadium Proposal and committment to initiate development adjacent to the Convention Center	1571

READ AND ADOPTED
PRESENTED BY MICHELLE MADOFF

BILL	SUBJECT	PAGE
61	Recognizing Charlotte Arnold as "Woman of the Month"	51
308	Commending Kerry Coon and Leroy Pfoertner for outstanding citizen involvement in fighting crime	248
309	Recognizing Agnes Brose as "Woman of the Month"	248
466	Congratulating Lt. Patrick McNamara on election of fourth term as President of F.O.P.	345
639	Proclaiming April 15-21, 1984 "Victims' Rights Week"	503
840	Recognizing Amy Balling as "Woman of the Month"	700
1027	Establishing Advisory Committee to study 1984 Mayor's Report, As Amended	926
1061	Commending Walter Mondale for choosing Geraldine Ferraro as his running mate	935
1177	Honoring Captain Joseph Somma for service to the City and estending sympathy to his family on his death	990

READ AND ADOPTED
PRESENTED BY MICHELLE MADOFF

BILL	SUBJECT	PAGE
1328	Congratulating Seth Browm for his outstanding scholarship ability	1118
1391	Proclaiming September, 1984 as Professional Security Month and commending all members of the American Society for Industrial Security	1135
1491	Commending Lou Gaetano, Rege Recker, and John Marotta for energy conservation efforts at the Brilliant Asphalt Plant	1228
1811	Recognizing Juanita Means as "Woman of the Month" for exceptions service to the Pgh. Public Schools	1567
1853	Hire individual whose sole duty is to solicit funds for none-profit, educational, and/or cultural groups	1618
1885	Recognizing Phyllis Wetherby for work toward human rights and legal equality	1641
1902	Recognizing Mary Winter as "Woman of the Month" in her efforts in organizing Mom's House	1669

READ AND ADOPTED
PRESENTED BY MRS. MASLOFF

BILL	SUBJECT	PAGE
133	Commending F. Kenneth Dixon for 37 years of service with Allegheny County	108
591	Expressing sympathy over the death of Nicholas Rade Stone, brother of Robert Rade Stone	458
724	Commending Nancy Frank for 25 years of dedication	629
800	Recognizing 1983 - 1992 "Decade of the Disabled"	688
993	Commending Allderdice High School Dragons baseball team	879
1269	Commending Ozanam Cultural Center girl's 12 and under basketball team	1028
1270	Commending Ozanam Cultural Center girl's 18 and under basketball team	1028
1530	Commending Lawrence Osley, Joanne Meldon, and Phyllis Chapman as finalists for PA Teacher of the Year Awards	1271
1621	Commending City of Pittsburgh Cable Advisory Committee	1401

READ AND ADOPTED
PRESENTED BY MR. O'MALLEY

BILL	SUBJECT	PAGE
682	Request that the Administration and Solicitor stop any plans to appeal the Supreme Court negative ruling on Self Service Gasoline Stations	587
765	Recognizing May 13-19, 1984 as "Police Memorial Week"	659
863	Urging the House, Senate and Governor to amend Act 111 1968, to include Emergency Medical Technicians	728
1178	Recognizing August 6 - 12, 1984 "Support Your Child Week" to urge courts to impose stricter enforcement	992
1179	Supporting "National Night Out", August 7, 1984	994
1392	Applauding the appointment by Mayor Caliguiri of of members of the Child Care Committee of the Mayor's Task Force on Women in Renaissance II	1137
1577	Proclaiming Oct. 22-26, 1984 "Crime Prevention Week" and Commending members of the Community Crime Prevention Coalition	1342
1620	Honoring Thunderherd Junior Drum and Bugle Corps.	1399
1664	Recognizing Kingsley House for their efforts in protecting children on Halloween	1429

READ AND AOPTED
PRESENTED BY MR. ROBINSON

BILL	SUBJECT	PAGE
62	Naming East Busway in honor of Reverend Martin Luther King, Jr.	54
179	Proclaiming the Month of February as "Afro-American History Month"	132
219	Honoring accomplishments of Henry Woods, Charles Cooper, and Mamie H. Lee and exressing sympathy to their families	202
220	Proclaiming February 18, 1984 as "Alpha Kappa Alpha Sorority, Alpha Alpha Omega Chapter Founders' Day"	203
278	Proclaiming the Week of Febraury 19-25, 1984 as Brotherhood/Sisterhood Week	222
518	Congratulating Pittsburgh Alliance for Voter Registration effort in Allegheny County	373

READ AND AOPTED
PRESENTED BY MR. ROBINSON

BILL	SUBJECT	PAGE
562	Discouraging the closing of The Western Restoration Center	408
658	Welcoming Dr. J.H. Jackson to the City of Pittsburgh	559
659	Enouraging the development of a Comprehensive Plan for the Hill District	561
683	Honoring Louis Mason, Jr. and extending sympathy to his family upon his death	590
864	Proclaiming June 6, 1984 "arthur J. Edmunds Day"	727
938	Designating the Stanley Theatre and Heinz Hall as "Not for Profit Performing Arts Facilities"	825
1531	Encouraging Warner Cable Corporation of Pittsburgh, Warner-Amex and Tele-Communications Inc. to accomodate financially 17 minority organizations relative to sale and transfer	1272
1578	Recognizing Oct. 16, 1984 as World Food Day	1344
1621	Commending City of Pittsburgh Cable Advisory Committee	1400
1665	Recognizing the life and works of Carl "Dingbat" Smith	1430
1706	Encouraging Secretary Lehman and President Reagan to NOT name a nuclear attack submarine after the City of Pittsburgh	1456
1886	Addressing the problem of hunger in America and calling upon the Federal Administration and Congress to enact legislation to provide assistance	1643

READ AND ADOPTED
PRESENTED BY MR. STONE

BILL	SUBJECT	PAGE
26	Honoring Eugene P. DePasquale for devoted service to the City of Pittsburgh	30
64	Proclaiming the week of 1-16-84 as "Respect Life Week"	77
134	Proclaiming the Week of 2-19-84 "Engineers Week"	110
563	Extending Best Wishes to the Pittsburgh Pirates in the 1984 season	411

READ AND ADOPTED
PRESENTED BY MR. STONE

BILL	SUBJECT	PAGE
660	Congratulating the Holy Trinity Serbian Orthodox Church Choir and welcoming the S.S.S. Petar Krstich and S.S.S. Dr. Lazo Kostich Choir	567
865	Commending "Meals on Wheels" for outstanding service	729
1393	Welcoming the 18th Annual Tamburitza Extravaganza Congratulating Lou Cavic for founding the organization	1133
1394	Commending John M. McNamara on his 40 years of distinguished public service	1134
1708	Honoring Colonel Mitchell Paige, USMC for heroism in serving in combat against enemy Japenese forces in the Solomon Islands in 1942	1463
1783	Commending William R.B. Forehlich for service as Executive Director of the Southwestern PA Regional Planning Commission and Executive Director of the Pittsburgh Regional Planning Assoc. and extending wishes for a happy retirement	1546
1813	Expressing grief and sorrow over the death of Reverend Martin Luther King, Sr.	1570

READ AND ADOPTED
PRESENTED BY MR. WAGNER

BILL	SUBJECT	PAGE
132	Support of the Pittsburgh-Allegheny County Vietnam Veterans Monument Committee	105
133	Commending F. Kenneth Dixon for 37 years of service with Allegheny County	108
279	Encouraging Union Switch and Signal to perform PAT work in the Pittsburgh area	223
519	Commending Rose Luongo for 40 years of service	375
592	Congratulating the Resurrection "Raiders" School boys basketball team for capturing the PA State Catholic Elementary Boy's Championship title	459
593	Congratulating Our Lady of Loreto "Lions" girls basketball team for capturing the PA State Catholic Elementary Girl's Cahmpionship title	458

READ AND ADOPTED
PRESENTED BY MR. WAGNER

BILL	SUBJECT	PAGE
725	Commending Seton LaSalle High School Girls Basketball Team for outstanding 1983-1984 season	630
726	Commending North Catholic High School Girls Basketball Team for outstanding 1983-1984 season	632
765	Recognizing May 13-19, 1984 as "Police Memorial Week"	659
939	Recognizing June 18, 1984 as "National Child Passenger Safety Awareness Day"	829
970	Commending "Operation Home Free", Concern for Runaways	847
993	Commending Allderdice High School Dragons baseball team	879
1028	Proclaiming July 11, 1984 "Muhammad Ali Day"	929
1062	Welcoming the Third Marine Division Association	931
1271	Initiating a Safety Policy and a Safety Committee in City Government	1063
1492	Support Carnegie Mellon University in campaign for receipt of computer contract from Defense Department	1228
1532	Commending Richard Achter, Realtor Guy Glasso and Joe Dabecco for community involvement in preserving and housing 19th Ward Veterans Memorial Plaques	1282
1622	Commending Pittsburgh Paralegal Association on 70th Anniversary	1401
1666	Recognizing and Congratulating the Knights of Equity, Court Nine, on the Grand Opening of the Club Rooms	1431
1707	Proclaiming November 11-18th as "Meals on Wheels Week"	1460
1812	Recognizing Laura Grignano as the PIAA's Women's Cross Country State Champion of 1984	1569
1814	Request re-evaluation of the Three Rivers Stadium Proposal and committment to initiate development adjacent to the Convention Center	1571
1708	Honoring Colonel Mitchell Paige, USMC for heroism in serving in combat against enemy Japenese forces in the Solomon Islands in 1942	1463

READ AND ADOPTED
PRESENTED BY MR. WOODS

BILL	SUBJECT	PAGE
310	Commending Bobbie Rickard and Joanne Pefferman for dedication to Brighton Heights	249

READ AND ADOPTED
PRESENTED BY MR. WOODS

BILL	SUBJECT	PAGE
684	Proclaiming May 4-6 as "Second Division of the United States Marine Corps. Days"	591
685	Proclaiming May 5, 1984 as "Diann Wall Wilson Day" in recognition of her contribution to the Marine Corps.	592
726	Commending North Catholic High School Girls Basketball Team for outstanding 1983-1984 season	632
727	Encouraging the Management of Papercraft Company to work with the union to come up with a contract agreement	632
940	Recognizing and commending Jack Brennan for service to Brighton Heights community	830
1457	Designating Spring Garden Tennis Court and Ballfield as "Michael Flynn Field"	1222
1579	Proclaiming Oct. 20, 1984 Strong Kids, Safe Kids Day.	1346
1708	Honoring Colonel Mitchell Paige, USMC for heroism in serving in combat against enemy Japenese forces in the Solomon Islands in 1942	1463

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BILL	REASON	PAGE
	ADVERTISING PROPOSALS	
1036	Proposals for equipment 1984	
	APPROPRIATIONS	
1835	Amend 1208/83; Pay expenses to conduct public business	1586
448	Amend 1208/83; Change appropriation levels for code accounts	340, 434
1772	Pay Expenses; Conduct public business of debt charges for year begin 1-1-85	1513, 1702

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BILL	REASON	PAGE
	BUREAU OF BUILDING INSPECTION	
35	Disposing of violation files	56, 119
	1985 BUDGET	
1739	Create Position; Solicit Funds to obtain revenue for grants and donations and non profit groups	1508
1774	Adopt and Approve 1985 CDBG Program	1513
	CABLE COMMUNICATIONS	
1510	Securing a Professional Cable Communications Consultant	1285, 1321
1815	Filing Procedures; Direct Bureau of Cable to store and file recordings of official Council sessions	1583, 1662
1864	Conduct 1980-1983 Fiscal Audit	1633, 1661
1548	Equal Employment Opportunity and Minority Business Development; Authorize Franchise Agreement	1313, 1356
643	Authorize Mayor, Director of Public Works and Supt. of Cable to anylze fiscal status and file a report	568, 667
	CABLE COMMUNICATIONS	
483	Broadcast Post Agenda Meetings	379
484	Broadcast Public Hearings	379, 483
1396	Transfer Warner Cable Corp. to Pgh. Tele-Communications, Inc.	1183, 1357
1469	Transfer-Extending term of franchise	1231
	CARRY OVERS	
340	Carry over to 1984 Code Accounts	340, 434
	CHILD FINGERPRINT PROGRAM	
1630	Amend 541/84; Increase Allocation	1405, 1494

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	CITY CLERK'S OFFICE	
1866	Requiring audits, reports and evalualtions to be filed with the City Clerk's Office	1633
	CITY CONTROLLER	
1904	Conduct Fiscal and Performance Audit of URA for 1985	1689
	CIVIL SERVICE	
66	Change number of members from 3 to 5 and to amend Article 14 of Civil Service Statute	83
1029	Method of Appeal; Rules for retesting Police Officer candidates	929
	DEPOSITS	
1837	Designate Banks and Lending Institutions for 1985	1587, 1660
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	Certificate of Election; Madoff, Michelle	2
	Certificate of Election; O'Malley, James	5
	EMERGENCY JOBS	
540	Establish Program Funded by tax receipts	416
	EQUIPMENT LEASING AUTHORITY	
1331	Equipment Leasing Authority; Annual rentals to pay principal and interest on Revenue Bonds	1128, 1256

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	FINANCE DEPARTMENT	829, 847, 871, 977
1867	Workmen's Compensation; Establish chargeback system for losses for each department with City government	1633, 1692
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573	Establish Procedure; Coordinate and implement economic development and employment programs	463, 604
	FISCAL ADVISOR	
432	Hire analyst to serve in matters relative to bonds, notes, etc.	337, 965
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1372	Amend 671/83; Professional service contract with Mellon Bank	1151, 1215
1722	Increase bonded indebtedness for Capital Improvement Program	1487, 1623
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951	Apply to U.S. Department of Housing and Urban Development for Rental; Rehabilitation Grant Program	912
1054	Emergency Veteran's Job Training Act 1983	977

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1602	Stanley Theatre; Designate Structure of Historic and Landmark Significance	1352, 1449
	LAW DEPARTMENT	
453	Amend 832/76 to Establish Imprest Fund; Increase amount allocated	340, 434
	LEGAL ADVISOR	
1629	Request to Hire to Serve as Legal Advisor for Council	1405, 1605,
	LIBERTY CENTER	
1549	Providing for public/private financing	1313, 1388
	MINORITIES BUSINNES REVIEW ENTERPRISE	
644	Allegheny International Stanley Theatre; Direct City Planning and URA to present the Minority Business Development Plans	568, 668
	NAME CHANGE	
885	Change to Herron Hill Reservoir to Robert A. Williams Memorial Park, 5th Ward	760, 862
	PARKS AND RECREATION	
1821	Establish Imprest Fund for Pgh. Zoo	1584, 1667

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541	Business Loan Program; Investment of pension funds	416
166	Additional benefits to Police, Fire, and Municipal employees retired prior to 1/1/84	140, 232
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65	Investigate/evaluate procedures for the psychological examination of Police Officers	83, 231
67	Direct Mayor and Director of Personnel to appeal Civil Service Rules relative to psychological testing for candidates	83, 902
68	Re-evaluate ineligible candidates due to psycological testing	84
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1871	Create Department; Set forth powers and duties; Repeal Chapters 115, 117, and 143	1634
	RATE OF COMPENSATION	
1773	Fix number of officers and employees for year begin 1-1-85	1513, 1703
	REIMBURSEMENTS	
971	Michelle Madoff; File suit against Council for failure to hire fiscal advisor	864
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581	Res. 1208/83; Change appropriation levels	464, 547

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449	Amend 1209/83; Fix number of officers and employees and rate of compensation, setting minimum levels for designated positions	340, 434
82	"Fix number of officers and employees and rate of compensation; set minimum levels for designated positions", by correcting rate of compensation for 1984 salary rates	464, 547
	STATE POLICE	
414	Inspect City vehicles involved in accidents	313, 396
	STICKER PARKING	
999	Implement Pgh. Code Chapter 549	898, 979
	RULES OF COUNCIL	
1494	Amendment to Rule II; Impose a fine of $1,000.00 to members absent without excuse	1282
	SPECIAL PROGRAMS	
844	Parks & Recreation; Children's Fingerprint Identification	733, 823
666	Parks & Recreation; Accepting funds from concessions at special events and deposit funds in Special Parks Trust Fund	594, 669
	SPECIAL TRUST FUNDS	
1834	Create Mon-Ohio Development and Reconstruction Commission	1586
1825	Deposit Funds; Implement Economic Development Commission	1585, 1690

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BILL	REASON	PAGE
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1827	Deposit Funds; Create Community Human Services Program	1585, 1690
1833	Implement Water Rate Discount Program for low income Senior Citizens	1586
1832	Enhance public safety; Development of Computer Aided Dispatching System	1586
	STICKER PARKING	
1603	Bloomfield; Implement Residential Permit Parking Program	1352
1515	East Allegheny; Implement program	1286, 1446
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1724	Deposit Error; Payment to the Property Management and Maintenance Program Trust Fund	1487, 1561
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1474	Reimburse Asphalt Trust Fund Acct.	1232
	TRAVEL REQUESTS	
482	Council Aides to attend workshops and seminars	379
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1150	Amend 1065/83; Establish requirements for distribution	1005, 1060
1605	Res. 1065/83 Amend 722/84; Approving procedures and administration of Grants by City Solicitor	1353, 1492
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297	Amend 621/82; Authorizing URA to act as agent of the City of Pgh., in matter of property acquisition and relocation	253

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	WATER DEPARTMENT	
47	Pgh. Water and Sewer Authority; Organization of Authority under Municipality Authorities Act of 1945	58, 141
1588	Providing for publication in the Applied and Microbiology Journal relative to treatment of Legionella Pneumophila in public water	1350, 1450
	WORKER'S COMPENSATION	
823	Secure a Surety Bond and Excess Loss Worker's Compensation Insurance Policy	707

TRANSFER OF FUNDS

BILL	AMOUNT	FROM CODE ACCT.	TO CODE ACCT.	PAGE
551		1984 Water Fund	General Fund	417, 512
1474		Asphalt Reimbursement	Asphalt Reimbursement	1232, 1318
1521	500.00	1020	1018 1287, 1356	
782	535.21	1100	Ceta Trust fund	676, 711
1893	914.17	10	1838 1658, 1696	
772	1,000.00	1633	1631 674, 736	
1098	1,000.00	1633	1631 996, 1072	
1106	2,500.00	1808	1828-1	997, 1073
1622	2,500.00	1503	1502 1404, 1444	
1259	2,500.00	1060	1061 1034, 1077	
1892	2,500.00	1060	1061-1	1658, 1695
1748	3,000.00	1461	1461-3	1510, 1602
1362	3,000.00	1457	1451 1148, 1251	
799	3,500.00	1003	1002-1	1613
1799	3,500.00	1003	1002-1	1555
749	4,500.00	1017	1018 663, 710	
930	5,000.00	1022	1022-1	798, 884

TRANSFER OF FUNDS

BILL	AMOUNT	FROM CODE ACCT.	TO CODE ACCT.	PAGE
1402	5,000.00	57	32	1198, 1294
1689	5,000.00	1048	1049	1439, 1519
1723	5,000.00	45	1016	1487, 1561
1801	5,000.00	1003	1006	1556, 1638
1566	5,000.00	1051-2	1049	1316
1345	6,000.00	55-1	55-2	1130, 1210
261	7,500.00	1060	1061-1	229, 286
1887	7,723.98	1661	Community Communications	1657, 1694
1401	10,000.00	1457	32	1198, 1294
1671	10,000.00	1800	1825	1436, 1519
137	10,000.00	1838	Special Parks (SPPTF)	135, 231
1713	10,000.00	1932	1934	1485, 1520
977	10,000.00	1463	1464	881, 941
1740	12,000.00	1830	1832	1508, 1562
1859	12,912.44	1478	1476	1632, 1692
1253	15,000.00	1480	1490	228, 284
1344	15,000.00	1043	1042-1	1130, 1210
1308	15,000.00	1051-2	1051	1115, 1156
412	16,000.00	1750	1709	313, 346
1358	20,000.00	1457	1446-1	1148, 1212
1373	25,000.00	57	1058	1152
1378	25,000.00	1046	1048	1153, 1288
1379	30,000.00	57	1017	1153, 1253
1309	40,000.00	57	1100	1115, 1156
1357	50,000.00	1443	1443-6	1147, 1211
1288	50,000.00	1803	1800-1	1112, 1154
946	60,000.00	57-1	Special Parks (SPPTF)	849, 901
1097	60,000.00	1167	1160-1	995, 1050
1163	62,000.00	44	Various Accts. Finance	1007, 1075
1627	65,000.00	1154	1149	1405, 1488
1103	70,000.00	1141	1126-1	996, 1072
525	72,000.00	1750	1702	412, 478
1107	75,000.00	57-1/1801	Maintenance Management System	997, 1073
706	85,270.00	30	1482/1484/1490	641, 679
959	100,000.00	45	47	851, 901
1857	100,000.00	1443	1443-4	1632, 1661
1403	121,000.00	57-1	1468	1198, 1294

TRANSFER OF FUNDS

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1580	125,000.00	1608	1501 1349, 1418	
207	150,000.00	49	FICA Refund	208, 287
1587	163,000.00	1932	1935 1350, 1418	
1632	170,000.00	1463	1464 1406, 1488	
1632	170,000.00	1461	1461-1	1406, 1488
1632	170,000.00	1461-1	1461-2	1406, 1488
1033	190,000.00	1132-7	1150 936, 1016	
506	200,000.00	Unrestricted Cash; PW	Unrestricted Cash; Fire	382, 477
262	218,786.00	1984 CETA	1984 General Fund	229, 286
1475	225,000.00	45	30	1232, 1296
1687	225,000.00	41	30	1438, 1490
737	239,986.94	1982 CDBG	General Fund	662, 709
735	245,526.37	1983 CDBG	General Fund	661, 709
1836	250,000.00	1017-1	Mon-Ohio Development and Reconstruction	1586
74	255,000.00	1843	SCPTF Program	84, 189
736	255,833.92	1982/1983 CDBG	General Fund	661, 709
1820	293,000.00	1843	Senior Citizens Program	1584, 1660
1826	300,000.00	Police Transfer	Community Services	1585
1633	300,000.00	45	1470 1406, 1488	
1633	300,000.00	44	1470 1406, 1488	
731	350,000.00	57	SPP Special Summer Food Service Program	661, 709
1752	350,000.00	Unrestricted Cash Acct.	Unrestricted Cash Acct.	1510, 1562
531	400,000.00	1983 CDGB - Housing Authority	General Fund	414, 511
1826	700,000.00	1929	Community Services	1585
1831	1,000,000.00	41	Real Estate Refund	1586, 1660
433	1,100,000.00	Water Fund	General Fund	337
1162	1,300,000.00	Unrestricted Cash Dept. EC	Unrestricted Cash Dept.. PW	1007, 1075
1836	1,400,000.00	1929	Water Rate Discount	1586
1836	2,750,000.00	1450	Public Safety	1586
425	4,103,025.00	PW Capital Fund	URA Capital Fund	315, 418

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1819	Access Transportation Systems, Inc.	892.80	1584, 1660
771	Ace Lock and Key, Inc.	372.00	674, 736
1306	Adolph Sufrin, Inc.	1,298.43	1115, 1155
17	Ahnell, Charles P. and Elizabeth W.	10,565.80	27, 90
204	Ahnell, Charles and Elizabeth	10,565.80	207, 255
1858	Air & Power Service Co.	1,962.76	1632, 1692
975	Air and Power Service Co.	805.00	881, 940
1257	Albright, Lorraine Eppihimer, Wilma	1,231.25	1034, 1077
814	Allegheny Business Machines Inc.	561.94	705, 763
686	Allegheny Fence Construction Co.	1,200.00	638, 678
1154	Allegheny Insulation Co., Inc.	5,640.00	1006, 1074
1287	Allied Security, Inc.	813.66	1112, 1154
1721	Amaral & Neumeyer, Inc. Asbestos Removal	7,500.00	1486, 1561
1077	Amaral and Neumeyer, Inc.	16,500.00	963, 1048
1591	American Association of Zoological Parks and Aquariums	888.46	1350, 1441
891	American Civil Liberties Union	7,915.00	761, 853
1071	American Contractors Equipment Corp.	1,096.47	962, 1048
500	American Painting Co.	6,049.00	381, 466
567	American Society for Microbiology	397.00	462, 569
774	American Society for Microbiology Amend Res. 351/84	397.00	674, 737
1869	Anjo Construction Co.	3,713.58	1634, 1693
879	Beaver Valley Builders Supply, Inc.	874.00	760, 853
1258	Bell of Pennsylvania	822.00	1034, 1258
550	Benson, Barbara c/o James D. Belliveau	4,972.50	417, 511
620	Best Business Forms Co.	2,846.11	508, 597
1234	Bob Miller Shoes, Inc.	24,164.80	1030, 1154
204	Braunstein, Paul and Jane	5,654.13	207, 255
17	Braunstein, Paul and Jane E.	5,654.13	27, 90
340	Brayman Construction Corp. Forbes Ave. Bridge	921.46	282, 343
571	Burroughs Corp.	334.00	462, 570
1751	Carlow College Center for Business Society and Ethics	609.54	1510, 1602
1245	Carlow College Center for Business, Society and Ethics	855.36	1032, 1076
446	Casciato, Robert and Mary Audrey	1,075.00	339, 433
854	Casey Co.	46,264.00	734, 799
1307	Chersky, Barry and Edvige	5,216.38	1115, 1157

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1361	Cole Publications	767.50	1148, 1251
17	Cole, James B. and Shirley R.	3,045.99	27, 90
204	Cole, James and Shirley	3,045.99	207, 255
1376	Colonial Taxi & Paratransit Service, Inc.	2,314.50	1152, 1252
1520	Comenic Parente Contractors, Inc.	69,286.24	1287, 1356
259	Commonwealth of PA	250,000.00	229, 285
260	Commonwealth of PA	2,310.16	229, 286
14	Commonwealth of PA	250,000.00	26, 75
530	Commonwealth of PA, Dept. of Education	3,709.00	414, 510
1377	Community College	982.00	1152, 1252
614	Conn Construction Co.	12,000.00	507, 596
615	Conn Construction Co.	15,780.28	507, 596
882	Cost, Inc.	896.00	760, 853
824	Craig, David W.		
	Vankirk, Ella	27,500.00	707, 763
1476	DeCarlo, Vincent and Linda	1,250.00	1232, 1318
339	Della Vecchia, Michael	1,234.50	281, 317
671	Dick Corp.	9,770.00	594, 666
1007	Dick Corp.		
	Repeal Res. 411/84	9,770.00	899, 983
1072	Doerr Brothers, Inc.	3,386.00	962, 1048
866	Domenic Parente Contractors, Inc.	139,560.66	757, 821
1888	Domenic Parente Contractors, Inc.	7,959.00	1657, 1695
987	Donley, Richard and Mary	1,500.00	883, 941
204	Donohoe, Anna Marie Fox	776.73	207, 255
17	Donohoe, Anna Marie Fox	776.73	27, 90
1399	Douglas Industries, Inc.	3,000.00	1198, 1293
165	Dow Jones and Co., Inc.	251.02	139, 231
983	Dukes, Garbie		
	Household Finance Consumer Discount Co.	3,961.98	882, 902
1789	Duquesne Light Co.	1,267.75	1554, 1636
31	Eastley, Inc.	4,161.75	55, 115
198	Eastley, Inc.	18,996.17	206, 254
647	Edward Simon and Co.	2,492.00	568, 645
1498	Erie Zoo	7,500.00	1283, 1355
1816	Faloney, Marjorie J. - Amend Ord.100/75	200.00	1583, 1638
1818	Fauna & Flora	805.00	1584, 1660
1078	Ferdinand Palombo Landscaping Co.	3,956.34	963, 1048
1334	Fiesta Band	1,447.40	1128, 1209

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1088	Financial Management Services Amend Res. 508/84	3,900.00	964, 1049
1374	Financial Press Corp	7,489.80	1152, 1252
204	Finkel, Theda	989.95	207, 255
17	Finkel, Theda	989.95	27, 90
17	Finley, Jane W.	2,741.40	27, 90
204	Finley, Jane W.	2,741.40	207, 255
1631	Fireforce, Inc.	100,763.00	1405, 1488
878	Fontana, Richard F.	500.00	759, 822
346	Fort Pitt Supply Co.	52,000.00	283, 345
1791	Fowler, Charlotte	1,273.19	1554, 1636
1339	Frank Donnelly Co.	930.05	1129, 1209
1586	Fruehauf Corp.	1,567.22	1350, 1441
1368	G.J.M. Contractors, Inc.	43,405.73	1149, 1212
853	General Electric Co.	37,180.00	734, 799
17	George Transportation Co.	5,000.00	27, 90
342	Gerald Vitale, Inc. Calvin St. Waterline	22,788.15	282, 343
1343	Goldston, Edward	350.00	1129, 1209
575	Guilli Contracting Co.	5,400.00	463, 570
98	Gulli Contracting Co.	5,015.00	88, 189
293	Gulli Contracting Co.	2,265.00+	252, 316
257	Harold, Walter A., c/o John F. Becker	2,500.00	229, 285
649	Harris, Rose	1,250.00	569, 645
984	Hayes, Robert and Frances	1,044.00	882, 941
164	Hays, Donald J. and Delores	4,000.00	139, 231
528	Hendee Zoological Co., II	1,900.00	413, 510
17	Hibbert, William D. and Shirley	799.57	27, 90
204	Hibbet, William and Shirley	799.57	207, 255
1161	Hilltop YMCA duplicate warrant	1,548.36	1007, 1074
1519	Imperial Floor and Drape , Inc.	17, 714.69	1286, 1355
38	Independent Enterprises Inc.	21,760.00	56, 99
39	Independent Enterprises Inc.	53,218.25	56, 99
1006	Insituform East, Inc.	37,400.00	899, 975
1040	International Business Machines Corp.	1,866.00	937, 1016
537	International Business Machines Corp.	2,444.00	415, 511
1467	International Business Machines Corp.	1,866.00	1231, 1317
877	Jack's Truck Parts	10,985.00	759, 853
1398	James L. Smith Insurance Agency	65,023.00	1197, 1288
1477	Jones, Clarence	1,275.95	1233, 1318
869	K.A.E. Paving Consultants, Inc.	3,528.72	758, 853

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1473	Karkadoulias Bronze Art	8,000.00	1232, 1318
1611	Klobuchir, Harvey	1,867.66	1354, 1442
985	Knorr, Marie	1,375.00	883, 941
665	Kolas, Alex and Joseph	600.00	593, 666
73	Kolas, Alex and Joseph	1,200.00	84, 189
748	Kostman, Anita H. and Leo	2,500.00	663, 710
929	Kovach, Richard South Pittsburgh Savings and Loan	1,506.28	798, 883
1905	Kovacs, William and Eljean	577.88	1689, 1702
852	Landau Building Co.	5,354.09	734, 799
1589	Laurel Installations & Supply	1,835.00	1350, 1514
434	Leasing Authority, Senior Citizens' Program	50,000.00	337, 433
292	Lebies Plumbing Co., Inc.	650.00+	252, 316
442	Lingo Enterprises, Inc.	4,310.00	339, 433
298	Lipner, Gary A. (Duplicate)	831.57	253, 316
583	Lloyd, William F. (Duplicate Warrant)	9,941.90	465, 570
1305	Lorenz Avenue Baptist Church	2,850.00	1115, 1155
825	Lupus, Milt	3,900.00	707, 763
341	Machine Manufacturing and Repair Co.	5,615.00	282, 343
613	Machine Manufacturing and Repair Co. Amend Res. 197/84	5,615.00	507, 596
1250	Mackin Engineering Co.	32,500.00	1033, 1076
204	Marhoefer, Louis	6,282.36	207, 255
17	Marhoefer, Louis	6,282.36	27, 90
687	Marine Midland Bank	1,870.00	638, 678
672	Mario DePasquale, Inc.	15,478.74	595, 666
17	McLaughlin, Eileen H.	407.40	27, 90
204	McLaughlin, Eileen c/o Mellon Bank	407.40	207, 255
976	Mine Safety Appliance Co.	13,283.10	881, 940
868	Mobil Oil Corp.	2,279.20	757, 853
1079	Moscatiello Construction Co.	3,460,895.60	963, 1048
499	Mosites Construction Co.	2,000.90	381, 466
258	Muncaster, Marguerite, c/o Stephen Harris	27,500.00	229, 285
204	Murata, Paul	2,855.62	207, 255
17	Murata, Paul	2,855.62	27, 90
867	Myers Electrical & Industrial Supply Co.	37,900.50	757, 853
1800	NBI	22,518.98	1555, 1637
1564	NBI	292.40	1316, 1416
1757	NBI - Repeal Res. 949/84	292.40	1511, 1602
1519	Nello Construction Co.	139,173.35	1286, 1355

WARRANTS

BILL	SUBJECT	AMOUNT	PAGE
1251	Nello Construction Co.	119,608.00	1033, 1251
1651	Nestor, Ronald W.	1,060.00	1409, 1489
1105	New Image Press	679.36	997, 1073
1240	Noche, Mario		
	Criss, John		
	Chirico, Salvator	600.00	1031, 1076
889	Noralco Corp.	135,855.45	761, 822
40	Noralco Corp.	440,625.00	57, 115
153	Noralco Corp.		
	Amend Res. 21/1984	440,625.00	138, 211
1642	Noralco Corporation		
	Amend Res. 21/84	440,625.00	1407, 1488
1247	North Side Employment Program Consultants	10,000.00	1032,
183	P B & S Chemical Co.	5,664.75	204, 254
813	P B & S Chemical Co.	900.00	705, 763
1856	Perkin-Elmer Corporation, Citibank	659.50	1631, 1691
1246	Perry Hilltop Citizens Council	10,000.00	1032,
1400	Pete Jeffrey & Associates, Inc.	4,092.00	1198, 1293
986	Pfeifer, Anna Marie	11,000.00	883, 941
1335	Pitt Chemical and Sanitary Supply Co.	3,158.60	1128, 1209
1254	Pittsburgh & Lake Erie Railroad Co.	12,344.20	1033, 1077
504	Pittsburgh Firefighter Performance Exam	17,980.00	382, 466, 515
536	Police Dept. Investigation of expenses		
	Amend Ord. 318/68		415, 479
826	Police Officer Entry Level Exams,		
	Personnel and Civil Service	15,000.00	707, 763, 799
570	Police Recruit and In-Service Training	27,466.06	462, 570
1301	Pugliano Construction Co.	3,550.00	1114, 1154
422	R & R Mechanical	387.68	315, 384
880	R & S Equipment Co.	808.95	760, 853
619	R & W Forms	1,024.80	508, 597
1830	R. & W. Electric Co.	29,000.00	1586, 1691
1565	Rigby, Carol Ann		
	Garber, Robert L., Esq.	4,000.00	1316, 1416
1669	Robertson, Kenneth R.W.	200.00	1435, 1516
505	Rosenberg, Kirschner & Kaleugher	2,612.00	382, 477
1610	Rubin, Martin and Jacqueline		
	Goodman, Phillip and Sara	1,300.00	1353, 1442
1790	Russell, Lawrence E.	974.15	1554, 1636
1868	Sargent Electric Co.	863.50	1633, 1693
1069	Sargent Electric Co.	2,647.90	1017,

WARRANTS

BILL	SUBJECT	AMOUNT	PAGE
1499	Schulz, Jurgen	30,000.00	1283, 1355
1497	Schulz, Jurgen	2,400.00	1283, 1355
1341	Sciulli Brothers, Inc.	130.00	1129, 1209
498	Sciulli Brothers, Inc.	4,850.00	381, 466
1039	Scott, Alvin	483.00	937, 1016
1464	Service Supply Company	1,536.60	1230, 1317
1153	Sherry & O'Leary, Inc.	9,532.00	1006, 1074
204	Snyder Brothers Moving Inc.	5,000.00	207, 255
17	Snyder Brothers Moving, Inc.	5,000.00	27, 90
1151	Sonitrol Security Systems	2,569.00	1005, 1074
34	South Hills Computer Center, Inc.	562.50	56, 115
576	Spiniello Construction Co.	74,700.00	463, 570
890	Spiniello Construction Co.	30,780.04	761, 853
820	Spiniello Construction Co. Amend Res. 355/84	74,700.00	706, 738
421	Spiniello Limited, Inc.	49,975.00	315, 384
447	Starcich, Steven J.	1,023.55	339, 433
883	Strano, Peg	200.00	760, 853
1670	Sunbird International	2,450.00	1436, 1516
529	Sunbird International Co.	1,118.00	413, 510
1252	Surv-Kap/Allied Manufacturing Co., Inc.	3,698.50	1033, 1076
1363	Susquehanna Fire Equipment	1,783.50	1148, 1252
1359	Taussigs Graphic Supply, Inc.	816.10	1148, 1251
1423	Ted Wallace c/o Robert C. Gallo, Esq.	3,000.00	1201, 1294
1152	Tedco Construction Corp.	31,817.64	1005, 1074
1005	Tedco Construction Corp.	23,104.61	899, 975
197	Tedesco Landscaping Contracting Corp.	16,370.00	206, 254
413	The Perkin-Elmer Corp.	422.00	313, 384
292	Thomas Didiano Construction Inc.	17,099.00+	252, 316
745	Thomas E. O'Brien, Inc.	18,855.00	663, 710
1360	Three-M-Business Products	700.94	1148, 1251
1052	Tri-River Building Products Co.	336.66	939, 1016
746	Troxler Electronic Laboratories, Inc.	579.17	663, 710
1472	Trumbull Corporation	552.98	1232, 1317
1160	U.S. Department of Labor, CETA Program	32,785.48	1007, 1074
781	U.S. Dept. of Labor/CETA	25,881.21	676, 711
501	VIN Construction Co., Inc.	39,212.00	382, 466
206	Voegler, Rose c/o John T. Bender, Esq.	4,130.10	208, 256
1817	Vogelpark Walsrode Zoological Garden	3,920.00	1584, 1659
1891	Volpe Insurance	8,927.00	1658, 1695
1375	Volpe-Rogal, Inc.	115,250.00	1152, 1252

WARRANTS

BILL	SUBJECT	AMOUNT	PAGE
17	Wadsworth, Augustus B. and Grace	2,078.89	27, 90
204	Wadsworth, Augustus and Grace	2,078.89	207, 255
618	Walthour, Edward (Duplicate Warrant)	831.07	508, 596
1253	Wesco	7,203.00	1033, 1077
204	Westinghouse Electric Co.	159.91	207, 255
17	Westinghouse Electric Co.	159.91	27, 90
204	White, James E. M.	3,445.78	207, 255
17	White, James E.M.	3,445.78	27, 90
17	Williams, Lawrence and Florence	8,711.55	27, 90
204	Williams, Lawrence and Florence	8,711.15	207, 255
1758	Wilson, Jack	5,400.00	1511,1602,1623
1590	Yellow Freight System, Inc.	369.77	1350, 1441
204	Young, Frances	1,484.92	207, 255
17	Young, Frances	1,484.92	27, 90
205	Ziviello, Ralph and Bernadine	5,159.19	208, 256

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Tuesday, January 3, 1984 No. 1

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Tuesday, January 3, 1984

In accordance with the provisions of the Act of Assembly of the Commonwealth of Pennsylvania, approved May 31, 1911, the Members-elect of the Council of the City of Pittburgh, together with those holding over, convened in the Chambers at 10:00 a.m.

The Council was called to order by Michael A. Perry, City Clerk, who acted as Chairman pro tem of the meeting.

Mr. Perry:

This being the day and hour fixed by the Act of Assembly of the Commonwealth of Pennsylvania and the Pittburgh Home Rule Charter for the organization of the Council of the City of Pittsburgh, the One Hundred and Twenty-Third Council will be in order.

Please rise for the Pledge of Alligiance to the Flag.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

Mr. Perry:

We are honored this morning to have with us Father John Jendzura, Pastor of the Immaculate Heart of Mary, who will deliver the invocation.

Father Jendzura:

In reverence to our Lord, oh God our Father, bless this house and fill it with your presence. Let your peace rest upon our chosen members of Council so that courtesy, kindness, honor and respect be exemplified by them as part of their civic virtues. Grant them your unfailing treasurers of wisdom, if not that of Solomon and courage to fulfill their office purposefully since order and peace depend on wisdom, both in the individual and in society. Grant them prudence, the ability to foresee what things must be done for the good and welfare of society and what things must be avoided, for to act maturely, intelligently and with good will is to govern the City well. May justice, whose object is the common good of all, regulate and direct Council to respect and protect the rights of the individual and of society and to dispense the law with temperance, mercy and love, so that all in all, they may give a good account of their stewardship to you, oh God, and to your people.

As we say, Pan Z Wami Szczesc Boze, which means, God be with you and good luck.

Mr. Perry:

Thank you, Father.

The first order of business will be the presentation of Certificates of Election.

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF ALLEGHENY

CERTIFICATE OF ELECTION

We, the undersigned, constituting the Return Board of the County of Allegheny do hereby certify that at the Election held on the eighth day of November, 1983, in said County

MICHELLE MADOFF

was duly elected to the office of

MEMBER OF COUNCIL

Four Year Term

in the County of Allegheny, Commonwealth of Pennsylvania.

Witness our hands and the seal this twenty-second day of November, 1983.

Eugene B. Strassburger, III, Judge
Court of Common Pleas

Cyril H. Wecht
County Commissioner

William R. Hunt
County Commissioner
Members of The Board of Elections
Constituting The Return Board of Allegheny County

Mr. Perry:

At this time, we are honored this morning to have with us the Honorable Justin M. Johnson, Judge, Superior Court of Pennsylvania, who will administer the Oath of Office to Michelle Madoff.

Judge Johnson:

Raise your right hand and repeat after me.

I, Michelle Madoff, do solemnly swear that I shall support the Constitution of the United States, the Constitution of this Commonwealth, and the Charter of this City, and that I will continue to faithfully discharge the duties of office as Councilmember to the best of my ability.

The Oath of Office was administered by Judge Johnson and Michelle Madoff signed the oath.

Judge Johnson:

Congratulations.

Mr. Perry:

Members of Council, ladies and gentlemen, may I present Michelle Madoff, Member of City Council.

Michelle Madoff:

If I didn't write it down, you'd be here for an hour so I thought I'd try to be brief.

First of all, I would like to thank Justin Johnson and I'd like to welcome the clergy and Mayor Caliguiri for

honoring me by being here today, and honored guests.

Would you believe I'm a little nervous?

As I embark on my sixth year of service on Council, I would be remiss if I did not express my heartfelt thanks to the hundreds of volunteers who worked so hard for this day. Without them, the odds would have been insurmountable. While it would be impossible to single out each one for well-deserved praise, I hope all of them will accept my thanks and gratitude. Incidentally, there were over 450 people who worked the polls for us.

However, there are a few that must be thanked personally and publicly. I hope, as I call their names, they would do me the honor of standing. Carmen Gunther, my dear friend and my Administrative Aide, and Jane Becker who cannot be here because her father is being operated on. As you know, Jane was my campaign manager. Jane and Carmen, you both deserve medals of honor, not only for putting it all together but for putting up with me. Hopefully, I will be worthy of your efforts in the coming years.

Linda Sarno - Linda just ran out and got me flowers. I love you very much. Linda has worked beyond the call of duty and with little remuneration. We're going to change that this year, Linda; we got some money. At least you know your efforts have been appreciated.

Hank Kearney, will you stand up and let me thank you. Hank has come in to pinch hit while Carmen had to be away. He's really devoted his time without any remuneration and he's been wonderful.

I could not let today go without thanking the Lawrenceville twins, Lena and Rose. They have worked their shoe leather off the bare feet going door to door for me in all the elections. I wouldn't be here without you and I know it. Thank you.

Nor can I let today pass without mentioning that without the women's movement and NOW's devoted commitment to my campaign, spearheaded by Helen Torpey and Jane Duvall, we would not have such a great victory today. I think it would be appropriate at this point to thank all the women of Pittsburgh because there are more women registered to vote than there are men. I thank you.

There are others that I must take a moment to mention from this dias, Bill and Carla Gedman, Christina Mahoney, really stalwart. Are they here with us today? Christina came in every single day and Christina doesn't even live in the City. She's one of our suburbanites.

The past few months have been exhausting to all my colleagues. Yesterday's remarks by Mayor Caliguiri that being in public office is becoming more difficult all the time is so very true. Public officials are public property, examined under a microscope and their actions are reported daily in the media. No matter how well intentioned, no matter how committed we are to our jobs and to our constituents, sometimes we try too hard and our good intentions backfire. I think a good example of that was my vote on the fiscal matter the other day.

We can introduce many good pieces of legislation which are soon forgotten. My favorite bill in the last month or so is the safety in garages. I wonder if anybody remembers it.

If we make one mistake, even the fact that I have a 24-hour answering

service, I'm responsive to my constituents and the media can reach me at home at all hours of the day or night, and I'm available on weekends and at 2:00 a.m. in the morning, that's soon forgotten.

It's like having the sun shine six days a week, rain on the seventh, and having someone say, "Wasn't this a rotten week because it's raining today."

All one can hope to do is to be true to one's self. Do the best we know how and try to educate ourselves to do better. We need a little help. This Council must immediately acquire a full-time fiscal advisor and a full-time legal counsel of our own for which we are entitled to under the Home Rule Charter.

I have no doubt that there will be sharp disagreements among the nine members of Council on the important issues that we will be tackling in the months and years ahead. There is nothing inherently wrong with controversy. Through it, we can hopefully reach the correct resolution of the City's problems. Wasn't it Linden Johnson who once quipped that if two people agree on everything you can be sure that only one of them is doing the thinking?

It can be safely assumed by all that I will not be reticent in voicing my opposition when I feel it's against the public interest and voicing my support when justified in my mind. I guess old Harry is becoming my hero. Since I like to think that Truman's famous quote, "I never give them hell; I just tell the truth and they think it's hell" is my modus operandi.

This Council will be faced with numerous problems and crises in the ensuing years. My priority will be jobs, jobs, jobs.

The City indebtedness must also receive meticulous scrutiny by this Council in the days ahead. With a three quarter of a billion dollar debt and water and sewer lines that are deteriorating beneath our feet as we sit here, we must think of innovative ways of saving money and raising additional revenues.

Personally, high on my list of what must happen in the near future, is a partnership of suburbanites and Pittsburghers. I don't think metropolitanism is a dirty word. However, in the real world, the only way funds for services will be obtained, be it through metropolitanism or a sizeable commuter tax, will be through the leadership of the Administration calling in their brownie points with locally based corporations, corporations who have been treated fairly if not generously, corporations who have received tax abatements, emminent domain benefits, development loans, must begin to urge the suburban employees to pay at least 2 percent, 2 percent wage tax to the City of Pittburgh. We pay 3-5/6 percent. They may pay 1 or 1-1/2 in their communities. They should never pay more than we pay as a total. But that's the real world.

On another matter, Carmen Gunther who is a tireless researcher, is currently working on a project which will hopefully result in the lowering of utility bills.

Just so no one thinks Madoff thinks she is the only one who is working on good ideas to help the citizens of this City which is a jewel, I plan to continue to support my colleagues in their efforts. I remember Councilman O'Malley's bill on gasoline stations. Ben Woods comes to mind on solid waste and saving the City money which generated

over $1 million. We don't do it alone; we do it collectively.

I think it's time to forget personalities and zero in on issues. I hope we can disagree without being disagreeable.

On that note, let me thank Judge Justin Johnson for taking this time to honor me by administer my Oath of Office.

In closing, I promise not to walk off with the poinsettia.

Thank you all.

Mr. Perry:

We are also honored this morning to have with us the honorable Stephen Zappala, State Supreme Court Justice, who will administer the Oath of Office to Jim O'Malley.

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF ALLEGHENY

CERTIFICATE OF ELECTION

We, the undersigned, constituting the Return Board of the County of Allegheny do hereby certify that at the Election held on the eighth day of November, 1983, in said County

JAMES O'MALLEY

was duly elected to the office of

MEMBER OF COUNCIL

Four Year Term

in the County of Allegheny, Commonwealth of Pennsylvania.

Witness our hands and the seal this twenty-second day of November, 1983.

Eugene B. Strassburger, III, Judge
Court of Common Pleas

Cyril H. Wecht
County Commissioner

William R. Hunt
County Commissioner

Members of The Board of Elections
Constituting The Return Board of Allegheny County

Judge Zappala:

Councilman O'Malley, it is indeed a pleasure to be here again for a second time. If you will recall, I think we inaugurated your political career back in 1979. It seems that these Chambers have done a lot more for you than mine because in coming over this morning they commented that I'm wearing glasses and getting gray and either you're dying your hair or wearing contacts. I'm not sure but you look pretty good.

I want to wish you the best and I think that the most I can say in these Chambers is to reiterate what the Reverend had so aptly placed. That is that peace and tranquility normally comes from the exercise of good common sense and I use the adage that to know one's self is in effect the foundation stone of all knowledge. Once we do know ourselves, I think we will know the limitations upon what you can achieve.

So, Jim, on that basis I congratulate you. If you raise your right hand, I'd like to swear you in at this point. Repeat after me.

I, James O'Malley, do solemnly swear that I shall support the Constitution of the United States, and this State, and the Charter of this City, and that I will faithfully discharge the duties of the office to the best of my ability.

The Oath of Office was administered by Judge Zappala and Mr. O'Malley signed the oath.

Mr. Perry:

Members of Council, ladies and gentlemen, may I present Jim O'Malley, Member of City Council.

Mr. O'Malley:

You don't know what a relief that is.

I'd like to thank Judge Zappala. As he stated, four years ago he was the first Judge that swore me in. Not only is Steve now a Supreme Court Justice but he's also a very, very good friend of mine and it's an honor to have him here with me this morning.

I'd also like to introduce a few other people that helped make all this possible. I'd like to hav members of my family stand because if I named them one at a time we'd be here most of the afternoon. Mom and Dad, will you stand up, please? And the rest of the family stand up, aunts and uncles and cousins. Tom and Francis Clancey and Paul and Irene Thorton, Shirley Deasey, Eileen, Jack, Paul Thorton, Peggy Thorton, my cousins. Anybody who has been involved in the campaign know how vital it is to have your family support you. We can all testify it's a seven day a week venture, 12-14 hours a day and it never stops. It seems like, at times like that, the ones you can really count on are your family.

I'd also like to thank Dianne Szczypinski, Susie Puglise, John O'Conner, Mrs. O'Conner and everybody else here. I'd like to personally thank you because this is a very, very special day to me.

The significance of getting re-elected means a great deal. It means that the voters felt that I made a contribution in helping make Pittsburgh a better place to live and work. My re-election will give me the opportunity to continue to chart a course towards what I feel government is all about; helping people and especially those people who can least help themselves.

If someone was to ask me what I felt was the most notable contribution that I made in the last four years, it wouldn't be the legislation that received the most publicity, self-service stations and that gasoline stations must post their prices so we all know what we're paying. It would be the legislation that received the least publicity but helped the most troubled people. Some of that legislation is a grant that this Council passed for Pittsburgh Action Against Rape, whose sole and primary goal is to help women and young children who have been sexually abused. Because of this Council, they'll be able to continue their great work in this community. The Stephen Foster Center; this Council's grant enabled this historic landmark to be refurbished so it can continue to serve the senior citizens. LAW, Legal Advocacy for Women; this is a new group that was funded by this Council and their primary aim is to help women through the legalities of collecting back child support. Mary Alice Babushski's group, Victims of Violent Crime, funded by this Council, whose primary goal is to counsel victims of violent crime who very often have no where else to turn. Block

Watch; Block Watch is a program that I started in the City of Pittsburgh three and a half years ago. It's a program that we now have over 12,000 families. Wherever we've started a block watch in the City of Pittsburgh, crime has been reduced significantly in that area.

These are the types of contributions that I feel elected officials should make towards society. Being re-elected means that in the next four years I will be allowed to continue to establish programs that will work for a better Pittsburgh.

For this, I thank you for my re-election. Thank you.

I'd also like to say a few words about who I consider a good friend and mentor. In the last four years, whenever I had problems, I was always able to go over to the Mayor's Office and sit down and talk over some of the problems. He's always been very supportive, except for last week, but he's always been very supportive and I'm glad to have the Mayor as a good friend.

Mr. Perry:

Being that the elected and re-elected members of Council have been duly sworn in, the Clerk will call the roll.

Mr. Givens:

Mr. Chief Clerk, if I could have a procedural step. After calling the roll, I'd like to put a motion on the floor that this particular meeting which I had recommended to the Council for this Tuesday, that we recess for a period until 4:00 this afternoon for the purpose of —

Michelle Madoff:

No, no. Five minutes. I have an appointment.

Mr. Givens:

Okay, that we recess for an undetermined amount of time and that we come back into these Chambers. The purpose for this recess is to give Councilmembers the time and opportunity to discuss that which is before us, the business that is before us today.

Michelle Madoff:

I don't think we really need more than five minutes to meet because we know what we're going to be discussing.

Mr. Perry:

Roll call.

PRESENT:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Stone
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	

Mr. Givens:

I make the motion that we recess and reconvene as soon as possible to these Chambers.

Michelle Madoff seconded the motion.

Mr. Perry:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Stone
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the motion was approved.

And on the motion of **Mr. Givens**

Council recessed.

Pittsburgh, PA
Tuesday, January 3, 1984

And the time of recess having expired, Council reconvened and there were present:

PRESENT:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Stone
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	

Mr. Perry:

The next order of business is the nomination and election of the President of City Council.

Mr. Woods:

Mr. Perry, I am pleased to place as the nomination of the office of President of City Council, Councilman Robert Rade Stone.

In the ten years Bob Stone has been on Council, he has chaired almost every committee, including that of Finance. In my opinion, he is most knowledgeable about operations of the City government and is best qualified to be our President.

However, there is a better reason why Bob Stone should be our President. In addition to many issues we must face in 1984, we must prove to the City that Council fairly and wisely make it's decisions with mutual respect and courtesy. Robert Rade Stone will help us achieve this. Bob has said that only a weak person tries to dictate while a person of strong character communicates and consults. Bob Stone is a man of strong character. As our President, Bob Stone will encourage each member to present their best qualities so that City Council can present it's best to the people of Pittsburgh. Bob Stone will lead a Council that works together.

I proudly nominate Bob Stone to the office of President of City Council.

Thank you.

Mrs. Masloff:

Mr. City Clerk, I wish to second the nomination of Councilman Stone. As for Mr. Stone's background, Mr. Stone is married to Sally Stone, has two children, Robert Rade Stone, Jr. and Rade Stone. Bob is a lifetime resident of the 16th Ward of the City of Pittsburgh. He is a graduate of South High School on the South Side. Recently, he was honored as it's distinguished South High Alumnus. He is a graduate of the University of Pittsburgh where he received his B.S. Degree and the University of Pittsburgh School of Law where he received his LL.B. Degree and Juris Doctor. He is a practicing attorney for 28 years; 7 of those years he served as an Assistant District Attorney of Allegheny County. He is a member of the American,

Pennsylvania, and Allegheny County Bar Association. He is also a member of the American and Pennsylvania Trial Lawyers Association. He has served as legal counsel for Local 913 of the U.S.W. He has served his church locally and nationally and Schenley Post 663 of the American Legion, Oakland section of Pittsburgh.

I am proud to second the nomination of Councilman Stone.

Mr. Perry:

Any more nominations? Any more nominations? Any more nominations?

Mr. Wagner:

I nominate Mr. Givens.

Michelle Madoff seconded the motion.

Mr. Perry:

Any more nominations? Any more nominations? Any more nominations?

I'll entertain a motion that nominations be closed.

Mr. Woods:

So moved.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Perry:

At this time, would any member care to withdraw his name?

Clerk will call the roll on the election of the President of City Council.

Mr. Givens:

I'd like to make some comments, if I might, before I cast my vote.

What has happened in Council in the last several years, I think it's the feeling, the great feeling of the majority of all the Councilpeople, that we must 1) change our image, 2) that we must work more closely together, and 3) that we have to have that cooperation with both that of the Mayor of the City of Pittsburgh and the Democratic Party which all of us have been elected by the people, the Democratic voters of this particular City.

Because of that we don't have a balance and what has happened here in the last weeks, the last months, should not have happened had we had the leadership and the thrust that this Council should have had.

Because of that, at this particular time, I will cast my vote for myself.

Mr. Grabowski:

I cast my vote for Robert Stone.

Michelle Madoff:

I cast my vote for Mr. Givens.

Mrs. Masloff:

I cast my vote for Mr. Stone.

Mr. O'Malley:

I cast my vote for Mr. Stone.

Mr. Robinson:

I cast my vote for Mr. Stone.

Mr. Stone:

I cast my vote for Mr. Stone.

Mr. Wagner:

I cast my vote for Mr. Givens.

Mr. Woods:

I cast my vote for Mr. Stone.

VOTING FOR MR. STONE:

Mr. Grabowski	Mr. Robinson
Mrs. Masloff	Mr. Stone
Mr. O'Malley	Mr. Woods

VOTING FOR MR. GIVENS:

Mr. Givens	Mr. Wagner
Michelle Madoff	

MR. STONE 6 MR. GIVENS 3

Mr. Perry:

Mr. Stone has been elected President of City Council.

Michelle Madoff:

Mr. Perry, before we begin, I would like the opportunity of asking my colleagues who voted for Mr. Givens to change their vote and make it a unanimous vote for Mr. Stone and for the media who has been asking us what went on in the back room, we were discussing making this a better Council and being supported of whoever was elected as President of this Council and I think we should have unity. I would ask Mr. Givens to change his vote, I will change my vote, and I would ask Mr. Wagner to make it a unanimous vote.

Mr. Wagner:

I second that motion and I think what has happened today in the meeting in the back room is an indication that this Council, meaning all members of this Council, from what I understand, for the first time in many years are ready to begin to work together to make this Council a new and a much better Council.

Mr. Givens:

Mr. Wagner, I'll third that particular feeling. I think that's exactly what came out of there and the determination of all the members of Council right now are determined that this Council will work and if it doesn't, then the leadership within this Council will change in mid-term or any time when that leadership fails the body of this Council.

Mr. Perry:

Mr. Stone receives a unanimous vote.

Now, Mayor Caliguiri will administer the Oath of Office to Mr. Stone, President of City Council.

Mayor Caliguiri:

Raise your right hand and repeat after me, Bob.

I do solemnly swear and affirm that I will support the Constitution of the United States and of this State and the Charter of this City and that I will faithfully discharge the duties of my office to the best of my ability.

Congratulations, Mr. President.

Mr. Perry:

Members of City Council, ladies and gentlemen, may I present Robert Rade Stone, President of City Council.

Mr. Stone, President of Council:

I believe Father Jendzura is here, Mayor Caliguiri, other distinguished elected officials, members of Council and ladies and gentlemen.

Before beginning today, permit me to, again, extend our sincere and best wishes to our outgoing Council President, Eugene "Jeep" DePasquale.

He is a legend in his time here, a man of dedication to his fellow man, a great and personable fellow, a man who made his mark in life and on this society, but above all, a public servant who served this City and served it well.

This expression of gratitude comes from all of us, as well as all of the citizens of the City of Pittsburgh. Permit me to indroduce Eugene "Jeep" Depasquale!

I believe there is another person in this audience and if he is not, it might be because of his health conditions, but I would be remiss, as the incoming President of this Council, if I did not make a few comments about this man, who has given a lifetime to worthy causes and to the City of Pittsburgh.

He is a man who could have been the Mayor of the City of Pittsburgh but little known is the fact that he suffered an unexpected overnight physical impairment.

He was then faced with a very tramatic decision; whether to accept that honor or to face that honor with some of the impairments.

Because of his deep love and respect for this City, it's citizens and this Council, he made, for him, a heartbreaking decision, but a most responsible decision - not to accept the high honor!

While he is not in public service anymore, I'm sure he still follows Council's actions daily. Periodically, I have received from him a letter which sometimes has a little bit of praise but also a great deal of constructive criticism. I assume now, with my Presidency, that the frequency of those letters will increase.

We hold him dearly and we welcome him always. We shall always refer to him affectionately as "President Emeritus" of this Council. I am speaking of the Honorable Louis Mason, Jr.

Permit me to extend my debt of gratitude to the members of Council for electing me as your President.

I publicly accept the responsibility and the challenge that lies ahead.

I pledge myself to do my very best to serve you, to serve you all, and through all of you - to serve better the City of Pittsburgh and its citizens.

Considering past actions of this Council and the public response to those actions, the Chair views it - as a need for change.

The image and the good work of this Council has been diminished too long!

No Council has ever initiated or received, prepared or reviewed or passed, more substantive, major legislation than this Council has in the last four years. It is therefore regretful that that knowledge and that record remains lost.

Not yet fully appreciated is the tremendous strides and progress that this City has made in its fiscal management,

and at a time when the fiscal constraints of the '80's have played havoc with the older and larger cities of the northeast.

But now, if this City is to progress further, it will need a more serious and sober outlook.

I do, therefore, solicit the support of every member of this Council in that pursuit and I look forward to working fairly and cooperatively with every one of you.

In these trying fiscal times, there must be cooperation between this Council and the Mayor's Office.

While cooperation must be meaningful, it does not mean total unanimity on all subjects, nor at all times. Total unanimity will not be forthcoming, but neither is it expected or requested.

Our present Mayor, Richard Caliguiri, has done an excellent job for this City of Pittsburgh, so far. It is my belief, that he will continue to do a good job for the City of Pittsburgh. He, therefore, deserves our attentive and respective ear!

I believe that this Council and the Mayor are willing to cooperate and we feel confident that that cooperation will be forthcoming. Through the mutual and meaningful exchange and the collective input and efforts, this City and its citizens will gain by having an even better City in which to live.

A city is supposed to provide a nice place to live and work in. That is why, throughout history, large numbers of people have been willing to live in relatively smaller areas.

Whether you live in the South Side, Stanton Heights, Brighton Heights, the Hill District, the West End, Squirrel Hill, Hays, Homewood-Brushton, East North Side, Hazelwood, Lawrenceville, Bloomfield-Garfield, and others, you - as citizens and taxpayers - can expect and deserve certain basic City services.

Generally speaking, you want a nice place in which to live and a nice place to work; you want your garbage picked up weekly; you want your streets paved and snow removal; you want enough police to keep you safe; you want firemen to watch over you while you sleep; you want a plot of grass in the park, a place where your child can play and run; and you want a recreation center where you can swim, play basketball, or play a nice, easy game of checkers. You want clean and fresh water through your taps and, in case of an emergency or an accident, you want life-saving medical care, on the spot, as quickly as possible.

You will have to admit that that is a pretty big job. I am not saying that we will do all of those things to the degree that everyone wants, but we, this Council, must exert our best efforts along those lines.

So, as Council President, I want to make it this Council's job, in cooperation with the Mayor of the City of Pittsburgh, to deliver as much of those services as we can, at the best possible price.

The job before us is great and it will not be easy, but we look forward to the future with hope and anticipation.

Lastly but not least, I would like to serve notice to all of Council's staff that I look forward to working with each and every one of them as well.

I thank all of you for the opportunity to serve as President and I thank all of you in the audience who have

come to honor us by your presence here today.

Thank you much!

Mr. Perry:

Thank you, Mr. President.

Mr. Stone, President:

The Chair wishes to announce the following appointments of Chairmen and Chairwomen of the Standing Committees of Council as follows:

Committee on Finance - Councilman Ben Woods; Committee on Public Works - Councilman Richard Givens; Committee on Planning, Housing and Development - Councilman William Robinson; Committee on General Services - Councilman Steve Grabowski; Committee on Water - Councilwoman Michelle Madoff; Committee on Parks and Recreation - Councilwoman Sophie Masloff; Committee on Public Safety - Councilman James O'Malley; Committee on Engineering and Construction - Councilman Jack Wagner; Committee on Hearings - President of City Council.

I would like to make at this time the appointment of Councilmembers to the Board of Trustees of the Carnegie Library: Mr. Givens, Mr. Robinson, Mr. Wagner, the President of Council.

For the Board of Trustees of Buhl Planetariam: Sophie Masloff.

I am about to make a request relative to the adoption of the rules of this Council as printed, but I would like to preface that request by indicating that I'll entertain a motion to approve the rules of Council as they are, but there seems to be a desire of all Councilmen to upgrade those rules so that we might, in the years ahead, provide a more meaningful exchange and in a better decorum than has been in the past.

In light with that, we will temporarily entertain a motion to adopt the rules of Council as printed.

Mr. Woods:

So moved.

Mr. Givens seconded the motion.

Which motion prevailed.

Mr. Stone, President:

The President will attempt to meet with all of Council to set up a set of rules for Council that everyone will be willing to abide by.

I would like to entertain a motion to incorporate yesterday's swearing in ceremonies of Mr. Givens, Mr. Grabowski and Mr. Wagner, as members of City Council into today's proceedings.

Michelle Madoff:

So moved.

Mr. Woods seconded the motion.

Which motion prevailed.

(SWEARING IN CEREMONIES OF MR. GIVENS, MR. GRABOWSKI AND MR. WAGNER - 1/2/84)

Pittsburgh, PA
Monday, January 2, 1984

Mr. Perry:

We are here on this occasion for the swearing-in of Richard E. Givens, Stephen S. Grabowski and Jack Wagner as Members of City Council. Would you

please rise for the pledge of allegiance to the flag.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

Mr. Perry:

We are honored this morning to welcome first of all Paul Gentile, Pastor, Saint Catherine's Church, who will deliver the invocation.

Father Gentile:

Let us bow our heads in prayer. Oh Lord, the whole world is full of your glory. We commend our City to your merciful care, that we may follow your guidance and live in peace. Give to your public servants all authority wisdom and strength to know and do your holy will. Fill them with the love of truth, honesty and righteousness. Make them always remember that they are your servants called to lead and serve this City in fear of your righteous judgment.

It is you who have charged us with the task of building on this earth a home where all nations dwell in unity, liberty and justice. We say we pray for strength and purpose to make these public servants accountable to all the people fulfilling roles of service and responsibility, that they may seek justice and protection and lead us in constructing institutions for our peace and mutual aid. Thank you.

Mr. Perry:

At this time I would like to call upon George Givens, who will read the Certificate of Election of Richard E. Givens.

George Givens:

Certificate of Election.

We, the undersigned, constituting the Return Board of the County of Allegheny do hereby certify that the Election held on the eighth day of November, 1983, in said County, Richard E. Givens was duly elected to the office of Member of Council, Four-Year Term, City of Pittsburgh in the County of Allegheny, Commonwealth of Pennsylvania.

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF ALLEGHENY

CERTIFICATE OF ELECTION

We, the undersigned, constituting the Return Board of the County of Allegheny do hereby certify that at the Election held on the eighth day of November, 1983, in said County

RICHARD E. GIVENS

was duly elected to the office of

MEMBER OF COUNCIL

Four Year Term

in the County of Allegheny, Commonwealth of Pennsylvania.

Witness our hands and the seal this twenty-second day of November, 1983.

Eugene B. Strassburger, III, Judge
Court of Common Pleas

Cyril H. Wecht
County Commissioner

William R. Hunt
County Commissioner

Members of The Board of Elections
Constituting The Return Board of
Allegheny County

Mr. Perry:

We are honored to have with us this morning the Honorable Gerard M. Bigley, Judge, Court of Common Pleas, who will administer the oath of office to Richard E. Givens.

Judge Bigley:

Richard, would you raise your right hand and repeat after me, please. I do solemnly swear that I will support the Constitution of the United States and of this State and the Charter of the City, and that I will faithfully discharge the duties of my office to the best of my ability.

The oath of office was administered by Judge Gerard M. Bigley and Mr. Givens signed the oath.

Mr. Perry:

Members of Council, ladies and gentlemen, may I present Richard E. Givens, Member of City Council.

Mr. Givens:

Reverend Clergy, Mayor Caliguiri, City Clerk, Mike Perry, my distinguished colleagues, Judges, elected officials, the men and women of the audience.

When they said bring your family here, I said reserve the left side of the room for me, please, when you get down to all of them. It's a great privilege and a pleasure to be able to say to you the people of the City of Pittsburgh for another term of four years — this will be my third term. I'll be the second most senior person within the Council of the City of Pittsburgh. When I look back, and my dear mother, who's in the audience, 86-some years of age, and my father, Barney Givens, who was a Building Inspector for the City of Pittsburgh, I am very, very proud to be able to sit up here as a Councilman to the City of Pittsburgh and not only represent my family but to represent you, all the people of the City of Pittsburgh.

We said that pledge of allegiance to the flag of the United States, and it's been tested in the battlefields of Grenada, in Lebanon, in Viet Nam, the big W.W. II. Many of you people that served to keep that flag independent, but let me tell you something, it starts right here. We are the grassroots, we, you the people are the grassroots of this republic.

This Council body has been the proving ground for many higher elective offices, including Mayor, U.S. Congress, and City and County Controller; and I'm certain that in the years to come many more public officials will get their political start at this grassroots level.

When I think of where I've been all my life, much of it spent within the military of the United States defending that particular flag that we gave that pledge of allegiance to up there, I was very proud to have served in one of the longest wars. Many people don't realize the longest war in our history was the Viet Nam War. It lasted 13 years; 50,000-some lives made the supreme sacrifice.

Again in this City we're going through another problem. There's a war of poverty. The war of unemployment, and the war almost of survival; and again the federal government is turning its back, they're going to the states and saying you take care of your people. The states, to some degree, were very happy saying to the people of the City's you take care of your people. Your first level of government is right here.

I want to thank many of the Ward Chairmen who are out there, Vice-Chairmen, and secretaries. The committee people who give us the springboard, the springboard of the democratic people. When we see what's been happening in the last four years up in the White House, you've got to appreciate just exactly what it is.

They told me to keep my speech very short. I think I've just about said everything that I've wanted to say in that particular area. When I walk up through the halls, up through the steps of the City-County Building every day of my life, I feel extremely proud, extremely proud to be a Councilman, extremely proud to be one that is serving you, the people of the City of Pittsburgh; and I hope in four more years, I'll be up here again taking the same oath of office. It's an awful awesome oath that Judge Bigley read to me and that I swore to, and with that is the basic part, the basic line of everything that we live for and stand for in our democracy.

If you've been to some of these other countries where I have been in my lifetime — I've wished we could see that all of our sons and daughters in foreign countries throughout the world — when they come back — like the scene when the kids first got off the plane from Grenada, kissing the ground of the United States. They appreciate it and I do, too, and that's what's it all about.

With that, ladies and gentlemen, I'd like to introduce my lovely family, starting with the person that's been dearest to my heart, the closest to me. At 16 years of age I had met her, and we lived through living hell together. I should be the one that put her through living hell is what it is, and then you'll see what I mean when I introduce my eight children.

Eight children, as everyone knows, and three tours into combat areas of which two of them were in a voluntary capacity of which I went back to my wife and asked her if I could volunteer with having eight children left behind. When I see pictures of us on the lawn down in Florida with the old barn in the background, etc., I've wondered where she got the courage to let me go on and do the things that I wanted to do for what I thought was right at that particular time; but Ethel and I, as I did indicate, were very young kids, and there was a love greater than any love that I have ever read about in any book, that I have ever seen on any television screen, or that any individual has ever told me how deeply that love is between one and the other.

Ethel and I are like partners, true partners together for all these some 30-plus years, and all of you that are in the political arena must appreciate and know that when Dick Givens was out in the streets of the City of Pittsburgh going into the communities and etc., that my wife Ethel was always along with me. She's my partner, she's my wife, and I can't say anything more about her. Ethel, would you please stand up?

I mentioned about my father, who was a worker for the City of Pittburgh and also, I mentioned about my mother, who again, whose magic number in our Givens' family — I came from a family of eight boys, I had a family of eight

children, and I have eight grandchildren. For some reason, the eight just seemed to be going in there, but my mother had eight boys; my father was a City worker who raised that wonderful family of ours. Some of my brothers are here in the audience and I'll introduce them, but to my mother, God bless her, I can still — when you think about coming up here and speaking about something and there she is. Please stand, Mom.

I remember though when I thought of coming up here today introducing her — I have flashbacks of the days when she was down in the basement of our home, she was washing our white shirts, because we went to a parochial school, and we had to wear white shirts, and that was back in days when the soot was coming around on the porch. I can remember that so vividly, and she was trying to keep up with that tremendous thing and cooking the bread in the oven and taking care of us in all of our particular matters. To me, that was beautiful, and I'm glad that God had spared her and kept her around as long he has.

With her, and we call them the ladies with the hats, is my great-aunt, Dee Flaherty. Dee, would you please stand up? I see some other hats in the audience, but when all my aunts would get together and walk down through town, they used to call them the ladies, and believe me, they were always dressed to kill, and always lovely in that capacity.

I'd like to go into my family very quickly and move on, and if I could have no applause until I introduce them all. My son George, who gave the introduction and his wife Patty. Just stand and remain standing, please. I'll get the grandchildren all together, Patty. Marlea and Mike, Marlea and Mike are not here. I know what happened; she's on her way to the hospital having number two, so she didn't make it. That's Mike Gallagher and Marlea Gallagher. John and Ree Givens, and my daughters Maura and Julia. My son Edward and my namesake Richard. A round of applause for all my dear children and my one daughter who could not be here, Charlene. She's in Tennessee at this particular time. She's married to a fine serviceman.

You know all of us have family and all of us have to appreciate and know that you can't go through a political campaign — many of my children live right in the house with me — you cannot go through a political campaign without them being directly involved. Every one of them had a part in everything that I had done in my political life. They were up there putting signs up. They were making distributions. Whatever had to be done. They pitched in because if they didn't, they knew Dad didn't have the check coming in. If no check was coming in, they knew we we're going to have a difficult time within the family.

Getting down to the grandchildren very quickly, I have eight grandchildren, Jason, Marlea, Michael, Brendan's not here, and Katie, she's the smallest of the group right now, and there's the three that are down in Tennessee, Anna, Amy, and Mary. Please, for all my grandchildren.

Now, when you talk about eight brothers, I'll guarantee you that when you live with them, I mean you actually live with them, at least with my gang you did, anyway. We shared beds together. We shared rooms together. We shared all the traumatic effects that we had in living in the family together.

I'd like to introduce at this point now my brother Marty and his wife Mary

Ann. My brother George, which we call affectionately brother Bud and his wife. Donny and Doris could not be here, but Stasey, stand up and represent them. My brother Bill and his wife Dolly. As for those eight brothers, Bob is deceased, as well as my brother Tommy and brother Chuck, who like myself, he's an Air Force pilot, and he's stationed in Rhode Island at this particular time.

That concludes my immediate family, and that's why they give me the longest bit of time up here because of that. Some people that I cannot help mentioning, people who have influcence me. People who have guided me and people who have worked beside me for the last eight some years. That's Rick Infante, Linda Knozka, who's my sidekick. Mary Lou Sell and Puddy Sell, who said don't dare you Dick Givens introduce me, but I've known Puddy since I've been a young teenager, and these are one of those people who work for the City of Pittsburgh, and I won't say what his position is because if I do, he might be headlines tomorrow in the newspaper, Puddy Sell. And above all people in the world with the halo over her head, because without her I could not do it, and that is my mother-in-law, we call her the bank of Bloomfield, Mary Coleman. I think that concludes my particular list. God bless, and thank you for coming.

Mr. Perry:

Thank you, Dick.

At this time I would like to call upon State Representative Tom Murphy, who will read the Certificate of Election of Stephen S. Grabowski.

Tom Murphy:

Certificate of Election.

We, the undersigned, constituting the Return Board of the County of Allegheny do hereby certify that the Election held on the eighth day of November, 1983, in said County, Stephen S. Grabowski was duly elected to the office of Member of Council, Four-Year Term, City of Pittsburgh in the County of Allegheny, Commonwealth of Pennsylvania.

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF ALLEGHENY

CERTIFICATE OF ELECTION

We, the undersigned, constituting the Return Board of the County of Allegheny do hereby certify that at the Election held on the eighth day of November, 1983, in said County

STEPHEN S. GRABOWSKI

was duly elected to the office of

MEMBER OF COUNCIL

Four Year Term

in the County of Allegheny, Commonwealth of Pennsylvania.

Witness our hands and the seal this twenty-second day of November, 1983.

Eugene B. Strassburger, III, Judge
Court of Common Pleas

Cyril H. Wecht
County Commissioner

William R. Hunt
County Commissioner

Members of The Board of Elections
Constituting The Return Board of

Allegheny County

Mr. Perry:

We are honored to have with us this morning the Honorable K. Leroy Irvis, Speaker of the House of Representatives, who will administer the oath of office to Stphen S. Grabowski.

Mr. Irvis:

Steve, would you raise your right hand and repeat after me, please. I do solemnly swear that I will support the Constitution of the United States and of this State and the Charter of the City, and that I will faithfully discharge the duties of my office to the best of my ability.

The oath of office was administered by Mr. K. Leroy Irvis, Speaker of the House of Representataives, and Mr. Grabowski signed the oath.

Mr. Perry:

Members of Council, ladies and gentlemen, may I present Stephen S. Grabowski, Member of City Council.

Mr. Grabowski:

Friends and family, clergy, Speaker Irivs, Mayor Caliguiri, elected officials, and my wife Diana, first of all to start I would like to extend my deepest appreciation to each and every one you, as well as to the voters of Pittsburgh, who in one way or another have contributed their time, energy and votes, which has resulted in me standing before you as a Member of Pittsburgh City Council.

I won't take too much of your time this morning with a lengthy political speech. However, I would like to take a small amount of your time to let you know that this is a very happy day for me, because I'm addressing you once again as an elected official.

Thirteen months ago, I made my last address as an elected official on the floor of the Pennsylvania House of Representatives, and I remember that it was a very sad day, because I was leaving a position of responsibility that I thoroughly enjoyed and a position which I believed I served well in; and even though today the stage and the players have changed, the responsibility is the same or perhaps it is even greater.

In Harrisburg I was one of 203 representatives. Today I become one of nine representatives, and undoubtly as part of this smaller legislative body, my actions are more likely to directly affect government. It is a serious responsibility that I do not take lightly. I can assure you that over the next four years I will strive to justify the faith and confidence that the voters of Pittsburgh have placed for me. I will try to be as responsive in a positive way for the City and for the citizens of Pittsburgh, and beyond that, I would like to thank all of you for coming to the Council Chambers and to be with me this morning; and I would like to wish all of you a very happy, healthy, and prosperous New Year.

Now, one other thing before I relinquish the podium to Councilman Wagner. There are some special people in the audience for me as well, and if it wasn't for many of them sitting down there, I wouldn't be standing up here. So, I would first like to start off by introducing my lovely wife, Diana. I'm sure whenever the good Lord calls her she's going to go straight to Heaven for putting up with me. It's not easy being the wife of an elected official.

I also have in the audience an aunt and uncle that are very dear to me, Mr. and Mrs. Anthony Stasiak. You know, several years ago my father passed away, and ever since that time, I've had a substitute father, and that's my uncle Frank Michalski and his wife. I'm delighted to see in the audience today an uncle who had a stroke not too long ago. I don't think he's feeling too well, but he came down nevertheless, Mr. and Mrs. Chester Drozynski, and their daughter Claudia DiNardo; and I also have an uncle who came in from Butler today to be with me, Chester Michalski, Junior and Senior.

That concludes it for my side of the family, but as far as my wife's side goes, there's just as much blood in them as there is with mine.

First, I'd like to introduce my in-laws, Mr. and Mrs. David Stoeckle and their son David, Jr. and their two lovely daughters, Meghan and Susan. Also in the audience are my wife's grandmother, Ann Ohm; and her aunt and uncle Marlene and Jess McDonald, but I'm not sure if their girls are here, Cynthia, Georgine and Maureen; there they are. That concludes my introductions. I just would like to again thank you all for being here.

Mr. Perry:

Thank you, Steve.

At this time I would like to call upon Robert Wagner, III, who will read the Certificate of Election of Jack Wagner.

Robert Wagner:

Certificate of Election.

We, the undersigned, constituting the Return Board of the County of Allegheny do hereby certify that the Election held on the eighth day of November, 1983, in said County, Jack Wagner was duly elected to the office of Member of Council, Four Year-Term, City of Pittsburgh in the County of Allegheny, Commonwealth of Pennsylvania.

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF ALLEGHENY

CERTIFICATE OF ELECTION

We, the undersigned, constituting the Return Board of the County of Allegheny do hereby certify that at the Election held on the eighth day of November, 1983, in said County

JACK WAGNER

was duly elected to the office of

MEMBER OF COUNCIL

Four Year Term

in the County of Allegheny, Commonwealth of Pennsylvania.

Witness our hands and the seal this twenty-second day of November, 1983.

Eugene B. Strassburger, III, Judge
Court of Common Pleas

Cyril H. Wecht
County Commissioner

William R. Hunt
County Commissioner

Members of The Board of Elections
Constituting The Return Board of
Allegheny County

Mr. Perry:

We are honored to have with us this morning the Honorable Peter J. Wagner, District Magistrate of the 19th Ward, who will administer the oath of office to Jack Wagner.

Magistrate Wagner:

Jack, would you raise your right hand and repeat after me, please. I do solemnly swear that I will support the Constitution of the United States and of this State and the Charter of the City, and that I will faithfully discharge the duties of my office to the best of my ability.

The oath of office was administered by Peter J. Wagner, District Magistrate of the 19th Ward and Mr. Wagner signed the oath.

Mr. Perry:

Members of Council, ladies and gentlemen, may I present Jack Wagner, Member of City Council.

Mr. Wagner:

Thank you, Mr. Perry. Thank you, ladies and gentlemen. We have all endured and succeeded in the campaigns of the past year to be here today. There are many reasons why that is so, but the most important reason is that the Ward has committed us and helped us to be successful. What have we accomplished so far? Nothing.

I recall my personal thoughts two weeks prior to graduating from college about 10 years ago. I was very proud to have accomplished something that I always viewed as being very difficult to accomplish, a college degree. Two weeks prior to graduation I came across a statement made by Abraham Lincoln, which was "Education is not fulfillment; utilization of knowledge is." I would like to paraphrase that statement in relation to today. Winning an election is not fulfillment; utilization of this position to better the City we live in is.

We must not relish this victory too long. We must begin to address the problems of our City that are increasing in magnitude. Problems such as the loss of people living in our City the loss of a tax base, the loss of jobs. We must begin to develop new ideas to address these problems. We must be creative and daring as we have been in our campaigns in government; and most important, we must communicate with each other new ideas that will solve these problems.

As your new City Councilman, I will need your suggestions and your confidence more in the future than I have needed it in the past to be here today, so today is a new beginning and a day of thanks, and I would like to thank each and every one of you for your help in making today and the future the next four years what it will be.

Thank you very much.

I also would like to introduce the people that are the closest to me in my life. I do not have a very big family. There's not too many of them. First of all, I would like to introduce an individual who is my best friend and I am very fortunate to have as a wife, my wife Nancy.

The next two people I have to introduce together, because these are the two people that have made everything possible for the Wagner family, not only myself, but my two brothers. My parents, Laverne and Bob Wagner.

I'm sure all of you have watched the campaigns in the past, and the next person that I'd like to introduce is the person who has had the most impact in coming up with new ideas in this campaign is my brother, Bob Wagner.

There is also an individual here today that has been my campaign manager, who is the finest one you can find, my sister-in-law, Eileen Wagner. Next I'd like to introduce her three boys, Bob Wagner, Jim Wagner and Bill Wagner.

The next person is the individual that got me started in politics and also the District Magistrate of the 19th Ward, my brother, Pete Wagner. A person that I can always count on, Pete's wife and my sister-in-law, Judy Wagner, and their two beautiful children, Chelssa and Peter Wagner.

A very, very special person to me, my aunt Marie Torasso.

Next I'd like to introduce my wife's brother and my brother-in-law, and his wife, Ray and Terry Hopkins, and their two children, Page and Stephen.

Last but not least, I'd like to introduce my aunt, Aunt Winnie Newman.

That concludes the introduction of my family. I would like to state that we are having a small reception immediately following between the hours of 11:00 and 2:00 p.m. at the Huddle, which is located on Broadway Avenue in Beechview, and everyone is welcome to attend. We were going to have something fancy at an expensive downtown hotel, but within the last week I already had a cut in pay of $7,500. Thank you.

Mr. Perry:

At this time I would like to call upon the Mayor of the City of Pittsburgh, the Honorable Richard S. Caliguiri, to say a few words to this fine audience.

Mayor Caliguiri:

Reverend Clergy, newly elected and re-elected Members of Council, Members of Council, the Honored Elected Officials, family and friends. That's a wrong note to get introduced night after Jack's remarks, I think, but somehow, Jack, we'll make it up to you, I can assure you of that. It's certainly a pleasure to be with all of you and your expression of congratulations to these three gentlemen, but as are your expression of being part of government because today that's certainly not an easy thing to do, and so many people turn away from it, but we need the involvement of not only the family and friends that all of you are here today but certainly everybody that supports what good government is all about; and I'm just so pleased to see these three gentlemen, Dick Givens being re-elected for another term in office and of course the two new members, both Steve and Jack, who certainly espouse the type of people that we want to see involved in government.

The participation that each one of them have had in the past in their own communities, Steve already an elected official, and I sometimes wonder, once you are an elected official — it takes a lot to determine that you will, in fact, want to come back, because public life today is a most demanding one, demanding on your time, demanding on the efforts that you must put in both to yourself and your family, but also demanding on what you have to do as an elected official and the decisions you

make.

Examples of that is the past few weeks, the tough decisions that had to be made, and as long as all of us, Jack, Steve, do not what's best for Members of Council, not what's best for the Mayor or the Administration, but what's best for the people of this City of Pittsburgh, and as long as we do that, then this City will continue to grow and prosper. Even though in these times, these tough economic times, some of the problems we have with the steel industry, if we continue to have that out in front to make sure that our decisions are decisions for the people of this City, then I can assure that Pittsburgh is going to continue to be one of the finest and greatest Cities this country has ever had; and that's why I'm so pleased to see two young fellows like Steve and Jack determined that they want to be part of public life, that they want to be part of what the future of this City is going to be.

So, to each and everyone of you, both to you Steve, Jack, and of course, Dick Givens, to your families, to all of you, I congratulate you for being here today. I congratulate you for giving us people that truly want to serve these people of Pittsburgh, and as long as we continue to have people like that wanting to serve and the people that are now on City Council, and the people that I see to the left of me in the courts and the legislature wanting to continue to make their life part of a life for the good of the City, for the good of the county, for the good of the state, then our future is going to be a bright one.

I thank each and every one of you for being here today, and I, too, wish you a very happy and prosperous New Year.

Mr. Perry:

Thank you, Dick.

Before closing, I would like to recognize our past President of City Council, Eugene "Jeep" DePasquale.

This will complete the swearing-in ceremony for Members of City Council.

(END OF SWEARING IN CEREMONIES - 1/2/84)

Mr. Stone, President:

It is with honor that I now, at this time, recognize the Mayor of the City of Pittsburgh, the Honorable Richard Caliguiri.

Mayor Caliguiri:

Thank you, Mr. President, members of Council, family, friends and citizens.

First, let me express my congratulations to both Michelle Madoff and Jim O'Malley for their re-election under this very august body and one that certainly is doing well for the City of Pittsburgh and will continue. Michelle, if you wish a poinsettia plant, you may take one today.

To you, Bob, our new President, your words are well taken and I certainly look forward to working with you as well as other members of Council in the year 1984.

This is the year 1984; we're all talking about it and the so-called book about totalitarian government. Thank goodness that has not occured. Big Brother is not watching. But somebody more important than Big Brother is watching us and that's the citizens of Pittsburgh. Those are the people that

we've got to address ourselves to; those are the people that we've got to respond to.

So, I'm happy when I hear members of Council saying that you are, in fact, unified and going to work together because that tells me that we're going to deal with the issues that are at hand for the City of Pittsburgh; we're going to establish the priorities together that we feel are necessary to keep Pittsburgh moving progressively.

We've seen in today's paper, major waterline breaks in certain cities. We've had them ourselves over these past few weeks and I don't know that there's more of a priority than taking a look at what keeps Pittsburgh alive, what keeps us together, than our infrastructure which, of course, includes our housing all over the City because we've got to establish an environment, a good working environment, to attract new industry here, to make sure that the industry that we have will progress and expand, to take the place of some of those workers that have lost their jobs over the last few weeks in the steel industry. We've got to make Pittsburgh strong. We've got to create that environment to make sure that we can, in fact, attract people to this City.

We've got an opportunity to do that. Other cities are falling apart and they've got a long way to come back. I certainly hope they do; I wish no city or mayor or city council anything but good. But in Pittsburgh we have the components to continue to go forward. If we do that by working together, and I pledge to you today, to you, Bob, as President, and to all members of Council, the newly elected, the re-elected and the incumbents, that we shall work together as we have in the past and we'll turn 1984 around as a year that will show that government and the people work together. As long as we do that, the 1984 as was described in that book, will never come to pass in this country. But it must be that close working partnership. For the citizens in the back, we, together, will make sure that Pittsburgh continues in our Renaissance II progress, continues to make sure that our neighborhoods will be the finest neighborhoods in this country.

So, to all of you, I again wish you well in this new year, in a year that we're going to see many things happening, in a year that I'm sure will make Pittsburghers proud to be Pittsburghers.

I thank you.

Mr. Stone, President:

Before we entertain a motion to adjourn this meeting, for those who were sworn in today, if you care, we can have a reception line and those who wish to congratulate you may come forward, as is the custom.

With that, I'll entertain a motion to adjourn this meeting.

And on the motion of **Mr. Woods**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, January 9, 1984 No. 2

Municipal Record

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, January 9, 1984

PRESENT:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

ABSENT:

Mrs. Masloff

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Grabowski presented

No. 6 An Ordinance directing the Allegheny County Board of Elections to place before the voters of the City of Pittsburgh a referendum as to whether the said voters are in favor of supplementing the Home Rule Charter by authorizing the City to establish a procedure to set aside certain classes of contracts for goods and non-professional services for minorities and women by eliminating competitive bidding requirements for those contracts.

Which was read and referred to the Committee on General Services.

Mr. Grabowski moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. O'Malley presented

No. 7 Petition from the residents of the City of Pittsburgh, requesting a public hearing before City Council for the installation of a school safety signal at the intersection of Forbes and Denniston Avenue in order to insure the health, safety and welfare of the over 200 students of the Community Day School and Hebrew Institute.

Which was read and referred to the Committee on Public Safety.

Mr. Robinson presented

No. 8 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Chapter 993, Section 993.01(a)A(4) so as to include an abutting "A1" District under the Conditional Use Exception which provides City Council the authority to authorize a community parking area in certain "R" Districts when intended to serve an abutting "C" or "M" District.

Also,

No. 9 Resolution providing for Issuance of Certificate of Appropriateness for work on exterior of various buildings in the Manchester Historic District in the 21st Ward.

Also,

No. 10 Resolution providing for Agreement(s) with the South Side Local Development Corporation for commercial revitalization services in connection with the South Side Carson Street neighborhood commercial improvement program and providing for the payment of the cost not to exceed $40,000.00, payable from Neighborhood Commercial Revitalization Analysis and Support, CP 83-04.

Also,

No. 11 Communication from Robert H. Lurcott, Director, Department of City Planning, requesting authorization for Gary Erenrich to attend the 63rd Annual Meeting of the Transportation Research Board in Washington, D.C. on January 17-19, 1984, at a cost not to exceed $300.00, payable from Code Account No. 1103, Misc. Services.

Also,

No. 12 Communication from Robert H. Lurcott, Director, Department of City Planning, requesting authorization for Steve Branca to attend the Council on Urban Economic Development Workshop on Downtown Development in Norfolk, Virginia on January 21-24, 1984, at a cost not to exceed $980.00, payable from Code Account 1983 CDPA 4-35-01-0012-83-49-83-35.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Woods presented

No. 13 An Ordinance directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a referendum question as to whether or not the voters are in favor of amending the Home Rule Charter of the City of Pittsburgh to provide for an annual salary adjustment of City elected officials' salaries.

Michelle Madoff:

On that first item where they're talking about going to referendum, as you know, the problem has always been one of how the people understand it. I wonder whether you would look at it with the Election Board and come up with some kind of wording that would in essence say, do you prefer the present system which says that we must stay at the same salary for four years and then amends their salary or would you prefer it based on, tie it into the cost of living. In other words, sort of a choice kind of a question as opposed to, do you want to give them a raise or don't you, which is always going to be no and it will never change.

The Chair:

Hold on a minute. If I may, when we get presentation of papers, if there's anything technical on it in the sense of it's presentation, I think then it should be discussed. If it's something relative to the merits of the bill, that should wait until the Committee Meeting.

Michelle Madoff:

All I'm saying is that before we get to the Committee Meeting, if you would take the time to do it then it will be done and we won't have to delay it another week.

The Chair:

All right.

Michelle Madoff:

Thank you.

Also,

No. 14 Resolution authorizing the Mayor to issue a warrant countersigned by the City Controller in favor of the Commonwealth of Pennsylvania, Department of Labor and Industry in an amount not to exceed $250,000.00 to return excess funds drawn from JTPA grants.

Which were read and referred to the Committee on Finance.

Mr. Woods moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also,

No. 15 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article III, Depositories, Chapter 221, Contracts, Section 7, Lock Box System, by providing for the deposit of payments for Earned Income (PGH-40), Mercantile, Business Privilege and Institution Service Privilege Taxes in the existing lock box systems of authorized depository banks.

Also,

No. 16 Resolution providing for an Agreement or Agreements with Equibank, a commercial banking institution, for professional services in connection with the collection of Earned Income Tax Forms and direct deposit of Earned Income, Mercantile, Business Privilege, and Institution and Service Privilege tax payments; providing for the payment of the cost thereof; and providing for the bonding and confidentiality of the banking institution.

Also,

No. 17 Resolution providing for the issuance of warrants to Paul Braunstein and Jane E. Braunstein, his wife, in the amount of $5,654.13; Charles P. Ahnell, Jr., and Elizabeth W. Ahnell, his wife, in the amount of $10,565.80; James B. Cole and Shirley R. Cole, his wife, in the amount of $3,045.99; Anna Marie Fox Donahoe, in the amount of $776.73; Jane W. Finley, in the amount of $2,741.40; William D. Hibbert, a/k/a Bill Hibbert and Shirley Hibbert, in the amount of $799.57; Louis Marhoefer, in the amount of $6,282.36; Paul Murata, in the amount of $2,855.62; Snyder Brothers Moving, Inc., d/b/a George Transportation Company, in the amount of $5,000.00; Augustus B. Wadsworth and Grace Wadsworth, his wife, in the amount of $2,078.89; Westinghouse Electric Co., in the amount of $159.91;

James E. M. White, in the amount of $3,445.78; Theda Finkel, in the amount of $989.95; Florence Williams and Lawrence Williams, her husband, in the amount of $8,711.55; Mellon Bank, N.A. Executor of the Estate of Eileen H. McLaughlin, in the amount of $407.40; Frances Young, in the amount of $1,484.92 in full settlement of claims for property damages, and providing for the payment not to exceed the aggregate amount of $55,000.00, charged to and payable from Code Account No. 46, Judgments.

Also,

No. 18 Resolution providing for an Agreement with Grigsby, Gaca, Davies, P.C. for professional legal services, not to exceed $32,500.00, chargeable to and payable from Code Account No. 1048, Misc. Services, Department of City Controller. The compensation for the performance of services will be a $30,000.00 fee and $2,500.00 for normal business expenses.

Also,

No. 19 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended.

Also,

No. 20 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 787 of 1937 as amended by Act No. 250, approved July 29, 1941.

Also,

No. 21 Communication from Ronald C. Schmeiser, Director, Department of Finance, requesting interim approval for payment to Dow Jones and Company, Inc. for advertising costs in The Wall Street Journal for advertisement of employment opportunity with the City of Pittsburgh the position of Investment Officer, Department of Finance, at a cost not to exceed $251.02, payable from Code Account No. 1063, Misc. Services, Department of Finance.

Also,

No. 22 Communication from Richard. S. Caliguiri, Mayor, City of Pittsburgh, requesting authorization for George R. Whitmer to attend legislative meetings in Harrisburg, PA on November 30, 1983, at a cost not to exceed $300.00, payable from Code Account No. 1017, Misc. Services, Mayor's Office. Prior approval granted by Council letter dated November 23, 1983.

Also,

No. 23 Communication from John E. McGrady, Secretary, Sinking Fund Commission, submitting various Exhibits and Statements showing the financial condition of the Sinking Fund of the City of Pittsburgh as of September 30, 1983.

Also,

No. 24 Communication from Ronald C. Schmeiser, Director, Department of Finance, submitting a report of deposits and market value of collateral pledged by City Depositories to secure same as of November 30, 1983.

Also,

No. 25 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, submitting an analysis of estimated individual federal income taxes paid by the City's residents, pursuant to Section 204 of the Home

Rule Charter, Powers and Duties of the Mayor. The portion of these taxes used for national defense purposes, and the return to the City's economy through Defense Department spending in the region.

Which were severally read and referred to the Committee on Finance.

Michelle Madoff:

I have two items. It appears, my research staff, that unless you check it out with Mr. Pellegrini and get an opinion, we may not be able to meet the election code's deadline for the introduction of that salary adjustment, even if we suspend Rule 8. So, we better get an opinion on it right away. There's a deadline, I believe, the fifteenth of this month. Are you aware of that, Mr. Woods? Will we be able to meet the deadline?

Mr. Woods:

I think so but we're waiting for an opinion.

Michelle Madoff:

That's why we waive Rule 8 but will we still be able to meet that deadline?

Mr. Woods:

I believe so.

The Chair:

We could move the effective date, I think.

Michelle Madoff:

I just wanted you to be aware of that, Mr. Stone.

The other question I have is, you read a bill, Mr. Perry, and you read it incompletely. It said, "To the hiring of Mr. Grigsby, et al for legal counsel". For what?

Mr. Perry:

The City Controller's Office.

Michelle Madoff:

What do you mean? Is it going to be a part time person? Is he going to be handling one case?

Mr. Perry:

This was a bill submitted to this Council by the Controller's Office. All they had there was legal —

Michelle Madoff:

I have no problem with that; I just want to know what it's for. If we don't get it until Wednesday and we vote the following Monday, it only gives us Thursday and Friday to check it out with staff, or Monday morning.

Mr. Woods:

Michelle, we have ten days on this one. It's not Rule 8 on that bill.

Michelle Madoff:

I understand that but it doesn't come up until Wednesday, and then we have a week from Wednesday when we actually look at the bill and I look at it the Tuesday before that Wednesday. Then we only have Thursday and Friday and we vote on Monday.

So, I'm just curious. What was it?

Mr. Perry:

It doesn't state, Michelle.

The Chair:

Give her a copy, Mike.

Michelle Madoff:

Would you check that out for me early, please, Mike? You see, what I do is, I get the bills right away but in truthfulness I don't look at them until the Tuesday before the Wednesday.

The Chair:

The Rule 8 was not waived on that. It will not be up that Wednesday, it will be up the following Wednesday.

Michelle Madoff:

Mr. Stone, I agree with that but still I don't look at them until the Tuesday before the Wednesday and that doesn't leave enough time. They don't get them to me that quickly.

The Chair:

I told him to give you a copy.

Michelle Madoff:

Get my bills to me a little earlier, Linda, please.

MOTIONS AND RESOLUTIONS

The Chair presents

Bill No. 26 WHEREAS, in May of 1950, Eugene "Jeep" DePasquale was hired by the City of Pittsburgh as a laborer in the Department of Public Works, where he subsequently became Street Foreman after only five years; and

WHEREAS, in January of 1972, Mr. DePasquale was duly elected by the citizens of Pittsburgh to represent them as a Member of Pittsburgh City Council; and

WHEREAS, in January of 1978, the Honorable Eugene DePasquale was elected by his fellow Councilmembers to the esteemed position of President of Council; and

WHEREAS, Mr. DePasquale, affectionately known as "Jeep", gave faithfully his time and devotion to his fellow workers and to the citizens of Pittsburgh, and his conscientious service and his lively and spirited manner will be greatly missed.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City Council, on behalf of their staff and the citizens of Pittsburgh, hereby extend sincere commendation and gratitude to the Honorable Eugene DePasquale for his 33 years of distinguished service to the City of Pittsburgh, including his 12 years as a Member of Pittsburgh City Council, where he has enriched the lives of many through his sensitivity to the needs of the citizens of Pittsburgh and his fellow workers.

BE IT FURTHER RESOLVED, that this Council wishes to thank Mr. DePasquale for his kindness and inspiration and wish him health and happiness in the years to come.

Mr. Woods moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Michelle Madoff:

Mr. President, I have a floor motion. May I ask a question? I have two items but I'd like to ask a procedural question, if I may.

On the 19th of this month we're going to have a hearing on the Water Authority. Meanwhile, we've al ready, in effect, the Administration has already started into the works, a Water Authority by having a salary for Mr. Cosentino. I'm a little confused as to how you can pay somebody when it is not an entity, even if you're preparing for it.

I'd like a legal ruling on that because it seems to me that there is something in the morgue at the Post Gazette that we're going to dig out that came up many years ago and I said that they can't do that. I would like to make sure that we're not violating any rules and if you would check that out I'd appreciate it.

The Chair:

I'm not so sure he's changed yet because until we have the hearing, it's my understanding, we don't have a Water Authority.

Michelle Madoff:

Mr. President, I've talked with him personally and he tells me that he's moved down the hall, that Mr. Smith is now the head of the Water Department and he is devoting all his time to the Water Authority.

It would seem to me that we may be subject to some irregularities or legalities that we better check out. Maybe he could be a consultant in the interim which would cover all of us and be doing the right thing.

The other thing that I would like to talk to you about procedurally on this water issue is that, as you know, one of the reasons we have so many problems in the Council is that we have a hearing scheduled to discuss the Water Authority. Of course, all these people come and they want to testify; they're on a schedule. But we in Council have never had the opportunity to ask our own questions. So, it starts off with a presentation by the people pitching the Water Department. We in turn ask our questions. That takes until two or three in the afternoon and then the people get very disgusted with us.

I would like to ask your indulgence. Would you set up some kind of a meeting for us to meet openly to discuss — In other words, the hearings would be two phased. The first one would be Council addressing itself, maybe in the morning, to whatever our concerns are. The second one would be the public testifying. We can't even address the public's concerns if we don't even know what the issues are.

That came about and sort of struck me because I was called by one of the stations, being in the Water Department, would I interview with them today at 3:30 about the Water Department. So, I spent some time this weekend and this morning typing up my thoughts and what I basically did was list my concerns. These are unanswered questions that I'd like to have but I don't want to be an obstructionist. I think we run into a lot of problems, a lot of hostility, we have to go, people are waiting, people are upset.

I wonder if you could think about that problem and resolve it.

The Chair:

I received a request from one of

the other Councilmembers, one of our new members, and they were asking for a briefing on this matter. They should be receiving a copy of that report; I directed that to happen. If Council is interested, we'll set up another briefing on this matter.

Michelle Madoff:

I was told by two members of the Mayor's staff that if I wished to meet with them that they would be very happy to go over it with me on a one to one. Now, that was done with a judge on the Stadium. People came in, the Mayor was there, his staff, and people discussed their problems. I don't want it to be on a one to one. This Council has no intention to violate the Sunshine Law, I know you've stated that. I see no reason why we can't have the meeting, instead of having it a harangue, all at one time and the people are upset that they don't get to testify, start off as we normally do at a hearing, just the way we normally do. This is what we propose by Mr. Schmeiser or Mr. Schillo, I'm not sure, or the Mayor or whoever, and we can address our questions in a joint discussion and then have the people testify. But since it's already scheduled for the 19th, I guess somehow or other, that's your problem to resolve how you wish to go about having us all interact because I see no purpose in one of us meeting alone with Mr. Schmeiser and Mr. Schillo and then maybe someone said, "Hey, Michelle, that's wrong" or "They're right, you're wrong, Michelle". I think we need to interact. Publicly.

The Chair:

Well, I don't see any problem with asking for another briefing with Council, maybe in the Mayor's Chambers next Monday. But on the other hand, public hearings, the people are entitled to know from those who are experts in the field as to what they propose and why before they even require to testify. I would hope that as well some of our comments be received as information rather than us volunteering at those particular hearings so we can hear everybody.

Michelle Madoff:

I think you're absolutely right but I think you would agree that that has caused a lot of dissention among Councilmembers and among the public and hostility because we pre-empt them by our concerns and addressing ourselves to the people. We really have not had a briefing. All we had was a session saying, "Well, we reviewed and we've done a water study and now we've reviewed it again and we feel that this is the thing that ought to be happening." But there were no really, until that morning that it was presented to us in Council, that indeed this was going to happen.

I have a lot of questions I need answered. I may find the Water Authority is the best thing. I have some real concerns.

The Chair:

If Council is interested, we'll try to set up another briefing and if we can do it, maybe as part of the Monday meeting or at another time suitable for everybody. Is everybody in favor of that?

Mr. Woods:

I have a suggestion, Mr. Chairman. I tend to agree with Michelle that sometimes we start asking questions when the public should be making statements. A lot of times the public asks questions that perhaps we would not. If we could have the meeting after the 19th with the particular people

involved because we learn from what the public has to say and then we can go in with that plus we have ourselves. Maybe we could have it on the 20th or any time after that and we could ask maybe the same questions. They'll be there and we'll have our own and we could get answers that way.

Michelle Madoff:

I disagree with that strongly and the reason I disagree with that, Mr. President, is that I think as Councilmembers we should be informed. I think there's some rudimental, fundamental things that somebody talking to us might address and we won't know the answer.

Mr. Woods:

I didn't mean that we don't have a briefing; that's not what I meant. Have the briefing but I'm talking about afterwards we meet again and ask our own questions.

Michelle Madoff:

We do that anyway on the Water Authority. I want a briefing on my concerns, not privately; I want it open. We do that anyway except we pre-empt the public's time.

The Chair:

Yes, but the forum, I think, is there in the Mayor's Conference Room on Monday morning.

Mr. Wagner:

Mr. President, I think there's merit to both suggestions in that we need a briefing beforehand with all the appropriate parties, including the two groups that did the studies, Price Waterhouse and, I believe, Green Engineering. There's a lot of merit to Mr. Woods' suggestion in that there will be questions raised by the public that probably will not be answered that day. There may be a need for us to act as representatives of the public at another meeting after the public hearing.

The Chair:

That will come up at the following meeting and then if we need to have something else I think we can. I'm not saying it will not happen but it may not be necessary.

I'll try to set up a briefing meeting for next Monday.

Michelle Madoff:

If you do it Monday morning, as you say, at the normal time, then we eliminate all the time for those people who wish to address other issues. I would prefer to do it any time but next Monday. Before the meeting.

Now, in the same vein, I have a floor motion, as you know, that I have not presented yet. May I do that now? I'll read it and it will be faster.

The Chair:

Michelle, excuse me a minute. Has anybody seen this prior to now? Councilmembers?

Michelle Madoff:

We've been talking to everybody about it; everybody's got a copy.

The Chair:

When did you pass it out?

Michelle Madoff:

I'll been talking to everybody about it. There's nothing in it that's new. All we did was get what you gave us which was a good idea about the source of funding. That's the only thing that's new in it.

The Chair:

My question is, when did you hand this out?

Michelle Madoff:

They were put in the boxes and I think some people brought them in, some did not. I think it's self-explanatory. I'd like to go with it but if they don't want to go we can hold it.

The Chair:

Only one thing. I don't want to cause any problems here but ordinarily it's my understanding that we have these things the day before. Now, if somebody wants to object for that reason, then let's hold it until next week. If nobody is objecting we'll go ahead.

Michelle Madoff:

Mr. Stone, the Parliamentarian has ruled that if it's a resolution from the floor, it has to be 48 hours. If it's a floor motion, it does not. I just took the courtesy of typing out my floor motion. Floor motions can be spontaneous. I just, as a courtesy, typed it up so they could follow me.

The Chair:

Are you saying that if I say this is a regular resolution it will be 48 hours but
if I change the name and say it's a floor motion, then it's okay?

Michelle Madoff:

That's right. That is correct.

The Chair:

The Chair doesn't agree with you.

Michelle Madoff:

I'm telling you what the Parliamentarian ruled previously. Don't disagree with me, disagree with the Parliamentarian.

The Chair:

You can't introduce the same kind of resolution and say that I'm avoiding 48 hours.

Michelle Madoff:

One is considered a floor motion and the other is considered a resolution. A floor motion could be spontaneous from the floor.

The Chair:

A floor motion is that type of motion that comes out of the general discussion and not something that you're aware of and then decide to bypass the 48 hours by calling it something other than what it was.

Michelle Madoff:

I will agree that that is a great concern and that you have a valid point but I would ask your indulgence that we go with it today and if you wish to hold it a week because of the 48 hours, you may do that. But we have a problem. The problem is a time factor. The Water Authority is going to be heard on the 19th.

The Chair:

Excuse me, let me explain my position for a moment. The only reason I'm saying that is that we're going to end out with this kind of interpretation. I want to avoid it going in as we almost had with the young lady who wanted to speak at one of our meetings. These meetings are for Councilmembers and if we open it up — You can't open it for one. Once you open the door, it remains open for everybody. So, we ought to set rules early in this year so that we know what we're doing.

While I'm on that subject, for all Councilmembers, anyone who has any suggestions for a change of rules of Council, submit those this week so that we can do something with it hopefully next week.

Now, let me go back to your motion if I may. Does anybody have any objections to entertaining the motion today? Hearing none, proceed.

Michelle Madoff:

Thank you, Mr. President.

WHEREAS, in 1981 a resolution was presented to City Council to cause Council to hire a qualified fiscal advisor and said resolution was defeated; and

WHEREAS, on October 18, 1982, Pittsburgh City Council passed a floor motion to grant approval for a qualified fiscal advisor to evaluate the 1983 budget; and

WHEREAS, no such person was hired as directed by a majority of this Council; and

WHEREAS, the Council, pursuant to Article 3 of the Charter of Pittsburgh, is the Legislative Branch of City Government and as such, has the duty to exercise independent fiscal judgment; and

WHEREAS, Council is frequently confronted with major issues that require a high degree of expertise in economics and general fiscal matters; and

WHEREAS, the only advice regularly available to Council is from the administrative, legal, and fiscal staff of the Executive Branch which obviates this Council's duty to the public to collect all of the facts, analyze those facts and exercise independent judgment; and

WHEREAS, it is a breach of generally accepted governmental procedure, on both the state and federal level, for the Legislative body to rely upon the Executive body for legal and fiscal advice; and

WHEREAS, in the most recent past, this Council has been criticized by the public for voting without proper input on issues; and —

May I digress there? You remember the rate structure, the Advisory Board, the Cable Advisory Board, said we cannot recommend anything to Council, we need a fiscal advisor. —

WHEREAS, recent issues addressed by this Council, such as public takeover of the operation of Three Rivers Stadium and rate increases granted to the City's cable franchise, necessitated fiscal expertise that was not made available to this Council from an independent source; and

WHEREAS, Council will be considering legislation that has resulted from the Administration's newly-created Water Authority and the attending rate increases, without the benefit of its own

expert fiscal advice.

NOW, THEREFORE,

BE IT RESOLVED, that Council increase the professional consultant as needed appropriation from $10,000 to $50,000 so that it may vote intelligently on the complicated issues which it addresses during the normal course of its deliberations.

I should add that the persons to choose that individual would be the President of Council and a committee, I would say of three, and then present it to this Council as a body to vote.

I had run a personal ad to see if I could get some, perhaps, retired people or part-time people and I have a whole dossier. I'm sure there are people that we can get. I think Baltimore pays $40,000 or $45,000 to their fiscal advisor. Harrisburg uses a consulting firm.

I just want to add that this is not to say that all of us do not have some areas of expertise. I'm, I guess, an expert in the environment. There are many people who have done some research on other areas and they're experts in their area of endeavor. But this Council needs, even if it's a majority that has control of that fiscal person, the idea is two heads being better than one to make it better than what it has.

That is my floor motion.

Mr. Givens seconded the motion.

The Chair:

Michelle, I have a question. You said something that I gave you some advice on funding. —

Michelle Madoff:

Excuse me, I apologize. It was Mr. Buckley. I was misinformed.

The Chair:

As the Chair sees it, you're going from $10,000 to $50,000 in Council's budget.

Michelle Madoff:

Yes.

The Chair:

It would appear to me that you're attempting to amend the budget.

Michelle Madoff:

We do it all the time. We find money for needy items all the time. We locate money.

The Chair:

The only difference is that we don't have a place here to find money. All you're doing is increasing a line item with no monies coming —

Michelle Madoff:

I know that in your wisdom and working with Mr. Woods, our Fiscal Advisor, if we want to do this the money will be found.

The Chair:

But the resolution as it is increases an item and doesn't get money from somewhere else.

Michelle Madoff:

Do you want to put a whereas, monies will be located by the Finance

Chairman and President of Council and Mr. Buckley, that we'll look into the source?

The Chair:

The Chair wants to say again, I think you're amending the budget and the procedure you're using, I think, is wrong.

Michelle Madoff:

How would you suggest we do it to make it correct?

The Chair:

There's only one way to amend the budget and that's to amend it. The Home Rule Charter provides for such.

Michelle Madoff:

I have no problem with that. The only thing is, we do have this Water Authority upon us immediately. You know, Mr. Stone, we've had emergency money requests that have come before this Council. People run into trouble and we have found money when we needed to find it. I would suggest that if there's a willingness, I think the intent of the bill, if we want it, we can locate the dollars.

Incidentally, I wasn't going to do it this early. I was going to wait a few months into the year. I had already said that I would introduce it each year until we got one. But the problem is that this Water Authority is now.

Mr. Robinson:

Mr. President and members of Council, my concern about the motion does not relate to the intent. The intent I agree with and have supported similar motions in the past to hire a fiscal advisor. I believe that we need one and that Council ought to move expeditiously to do that. My concern is with the wording of the motion. I think that there are some references and inferences here that are not clearly substantiated and I think that it takes away from the intent.

I am particularly concerned about the whereas that specifically indicates that there is a newly created Water Authority. With all due respect to Green Engineering, Price Waterhouse and the Administration, and even those members of Council who believe a Water Authority is necessary and perhaps would vote for it, I think it is rather presumptous, at least, to say that we have a Water Authority in the City of Pittsburgh and I also think that it would not speak well for us to suggest that that issue has been resolved and we've already voted on it, particularly prior to the public hearing. I just say that because I think that kind of inference takes away from what I think is a very fine suggestion that we have a fiscal advisor. I think that if the motion, at your discretion, of course, were revised to simply indicate that this Council or that you feel that we should have a fiscal advisor and allow us to vote, I think you will get a vote that will be as true as the one you're going to get on this motion but I think it will be one that when reflected in the record would really reflect your true concern and leave perhaps some of the other issues to be resolved at another time.

Michelle Madoff:

I thank you, Mr. Robinson, because you're right. When I addressed my concerns earlier, that was one of the concerns that I had, as to why I want a briefing, and here I've contradicted myself inadvertently by saying that the Administration's newly created Water Authority, it should say intent to create. I think if you put intent in it clears it up. It's obvious they're

intending to do it; I don't think you question that. I think the word intent would clear up your concern. But I'm willing to negate, as you say, all the past and say I just make a straight-forward resolution, I'll withdraw this resolution, make a straight-forward resolution that we, this body, agree to hire a fiscal advisor tout de suite because we don't have very much time. We already had a 4-5 vote on it; we're very close to having our five votes previously. I don't see any reason why I would not change my vote to that.

Mr. Givens, would you withdraw your second on that original bill?

Mr. Givens:

Okay.

Michelle Madoff:

I'm going to introduce the resolution that we just hire a fiscal advisor, that we need one for this Council.

Mr. Robinson seconded the motion.

Mr. Woods:

I have a question. What kind of qualifications would this individual have? I mean I think —

Michelle Madoff:

You would determine that.

Mr. Woods:

Before we go out and say we're going to hire somebody, we have to see who we're going to hire, what kind of qualifications we think that this individual should have.

Michelle Madoff:

Absolutely.

Mr. Woods:

I think all of us should have input as to what qualifications we expect and for this kind of money, and we hear this all the time, especially with us, is that individual going to be full-time, part-time, or on a pay-as-you-go basis such as these number of items you names, Three Rivers, Cable. One thing you did miss in there which we really needed was PAC and then everyone would have voted my way, but that's another issue.

Michelle Madoff:

Wrong.

Mr. Woods:

I think that before we vote on this, and if it takes a week somebody should draw up some guidelines that say this is what we need, this is the kind of individual we need, that we're going to have him full-time, part-time, or on a certain basis when a big issue comes up, such as the Water Authority that's coming up.

The Chair:

Might the Chair make a suggestion to the maker of the motion? May I suggest that you withdraw your motion and we do what he is suggesting and find out what we want because I think this motion means nine different things as it is right now.

Michelle Madoff:

May I just try one more time and then if it's necessary I'll withdraw the motion?

I think it's very apparent that we need somebody with a background in municipal government. That's what consultants do for councils elsewhere. They have a background in economics, that's sort of a given. Those two things. They have a background in economics and they have a background in municipal government. As to whether they would be full-time, I would think for $50,000 they would be "full-time" and available to us on a weekly basis as issues come up, especially during budget time for those two months. I think it would be full-time. I would be willing to say those would be the qualifications.

Mr. Woods:

Can I just add something to that? When we say $50,000, does that mean that that's their salary? I mean, are we going to have to give this individual an office? Are we going to have to provide staff for this individual? I don't think that we should pay someone who we call full-time $50,000 and he has his own office across the street. If he's going to be full-time for us, just like the rest of our staff, he's going to have to have an office here and whatever else he needs. That is my opinion, that's the way I would vote on it, that he would be working for Council just like everyone here wants him to work for Council, just like our budget staff. For $50,000 I think we should expect that. What I'm saying is, let's see what we really want here. If we want a part-time or full-time and if he's full-time, he works here full-time, just like we do and just like our own staff does. I'm saying that if we wait a week and think this thing out and perhaps, Michelle, you should come back and say this is what I want and this is my motion and this is what this individual will do and where he will be stationed at.

Michelle Madoff:

I would have no problem with the President of Council, if you would like to serve, I would like to serve on that Committee, have a committee of three members of Council and the President of Council, to interview people and to take comments from our colleagues as to what they would like that person to do, part-time, full-time. We may find somebody who is a $300,000 a year person who might want a part-time and it would be better. We might find we want somebody full-time. I think your point is well taken.

All we're voting on today is the intent of having a fiscal advisor.

The Chair:

The suggestion is, until we find out what we want in the fiscal advisor, that we withdraw the motion. That's the suggestion.

Michelle Madoff:

Mr. President, as you recall, when I raised this issue, I have no problem with the week. What I have a problem with is on the 19th we are going to be dealing with the "Water Authority".

The Chair:

There's no way that that person can be hired and we have an understanding for them to function effectively before the 19th anyway.

Michelle Madoff:

May I ask you for some guidance? When we started the hearings on cable I introduced a bill because we weren't ready yet, to just do it during budget hearings. Can we put this aside for a week as you suggested, but can this

Council vote today to hire somebody immediately to be available to us as a fiscal advisor who understands rate structures, etc., on the Water Authority as a separate entity? Let's find some money to do that.

The Chair:

Michelle, I don't know anyone that you can pick up in a week that's going to be qualified to go in and look at this whole structure. We had, to my knowledge, two experts already, that's Price Waterhouse and also Green Engineering. That's two, at least, that I'm aware of from the top of my head here, but it would appear to me you're not talking one individual has that total capacity all over. I think the time constraints are a little difficult for that.

Michelle Madoff:

Mr. Stone, I know people who, as a matter of fact, are in town this morning with Westinghouse and one of their main jobs for their consulting firm is to evaluate rate structures for the PUC. I know people, as a matter of fact, a friend of mine will be here in Council on the 19th. She's testifying because she has some expertise in authorities. I am sure that there is somebody over at Reed Smith, I know somebody, who is an expert in reviewing the material that's already out to say should we, indeed, float our own bonds for various reasons, or should we go to an authority. I think we could have some input from some expertise other than what the Administration is going to tell us to do. I think that's terribly important. It's a no win situation. I understand the big joke going around is that they're saying to the Mayor, where are you going to get eight people willing to raise people's water rates. We'll put Michelle on that, we'll fix her, we'll put her on that Authority so she's going to raise everybody's rates 100 percent.

I think we really and truly need to get somebody. All the years you've been out in the law field, you've got to know somebody. I know three or four people. And they're not personal friends of mine.

The Chair:

The Chair is going to try again. I suggest you withdraw your motion at this time to regroup to find out what kind of fiscal expert you want.

Michelle Madoff:

That is a separate issue. We've done that. We've already agreed to withdraw the motion and introduce it, let's do it two weeks because it's obviously going to work for this Water -- Well, let's do it Monday. We'll do it for next Monday.

The Chair:

Mr. Robinson, do you withdraw your second?

Mr. Robinson:

Yes.

The Chair:

Alright, we have no motion on the floor.

Michelle Madoff:

The motion on the floor is to go out and hire a fiscal expert to help us just with the Water Authority.

The Chair:

In two weeks? We couldn't even get regrouped in two weeks and pick up all that.

Michelle Madoff:

You don't understand. People are going to be very upset —

The Chair:

Alright. You have a motion. Do I have a second?

Mr. Givens:

I'll second it and I'd like to explain my second if I might.

It's very critical, I think, that the City of Pittsburgh and what we're going to be doing here in the very short weeks, the fact that we have $10,000 already within this account gives the Council the ability to go out and hire whoever we feel is going to give us that type of input that we need. I have to agree that there's only a few documents, only one or two documents that have been presented to this Councilman. In the ensuing time, I've been researching to get other data. I think we very seriously need someone in here to advise us as to which way we should go on any major financial issue and to get independent advice. I've been criticized in the past for saying things should be done at a certain time and my knowledge in the financial community, and if I should be scolded on that by my fellow Councilmembers then I need that expert advice. If you don't want to listen to this Councilman then maybe you might listen to a financial advisor to this Council. We do have the $10,000, Michelle, and it takes five votes in this Council to bring any consultant that we want to come in to help us on any of our legislation.

I would suggest very strongly that we put this on the floor as a motion and then go from there.

The Chair:

The motion is for the Water Authority only at this time, Mr. Givens. Is that your second?

Mr. Givens:

I think that's the biggest thing before us.

Michelle Madoff:

Excuse me, Mr. President, before you vote. I will mention to you later two or three of the people that you probably know a lot better than I do because of your professional interaction with them that you may wish to speak with. They are with major concerns but I think for $10,000 they could be willing to give us something. They're also concerned about our community.

Mr. Wagner:

Mr. President, not being around when this issue was discussed, and I suspect it was at previous times, I have a couple questions. Number one, is there $10,000 in reserve right now that can be used for a private counsel?

The Chair:

Council has a line item in which there is $10,000 which covers consultants. It's fixed in there. At the time the $10,000 was put in, it was what was thought would be generally needed for a year.

Mr. Wagner:

So that money is available if Council chooses to utilize it for this purpose.

The Chair:

Yes.

Mr. Wagner:

My second question is, according to the Charter, do we have the power to hire such an individual simply with a vote?

The Chair:

As long as the party is a consultant. You can't make them an employee.

Mr. Wagner:

Thank you.

The Chair:

Call the roll.

I vote no and the reason being that I don't think we can assemble that kind of expert who is going to be able to read all of the information and be able, within less than two weeks, to determine this matter. I think it is a waste of funds at this time.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mr. O'Malley	

AYES 5 NOES 3

(MR. GRABOWSKI, MR. WOODS AND MR. STONE VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion was approved.

Michelle Madoff:

Since it has passed and in the interest of harmony, we don't want to be working across purposes, may I meet with you for a few minutes today and tell you the person and you would know more about them? I have a call in to them. I know them very fleetingly and perhaps you would be better able to evaluate their expertise.

The Chair:

Okay.

Michelle Madoff:

I have one other item, a very serious item. Mr. Stone, did you have a chance to read the Press, I think it was Sunday's edition, about Methenol gas could cancel auto warranties?

The Chair:

I read something about it.

Michelle Madoff:

May I just read some excerpts to you?

The Chair:

It was kind of a festive weekend. I'm not so sure that —

Michelle Madoff:

It was your holiday. Incidentially,

Happy New Year.

It appears just generally that the states of — Let me read this to you.

"Laws regarding the blending of alcohol and gasoline have been adoped in Arizona, Arkansas, California, Colorado, Florida, Illinois, Iowa, Kentucky, Maryland, Michigan, Missouri, Montana, New Mexico, North Carolina, Oklahoma ..." It goes on and on, almost all states. Pennsylvania has not. It goes on to say that the blending of low-grade alcohol methanol with gasoline, auto makers fear the methanol will clog gas filters and otherwise damage the fuel system. AMC, General Motors, and Chrysler, the car that I have and which I have spent one-third of the price of the car in repairs, and I've had the car 28,000 miles, all warn that using methanol can void a new car warranty. The oil industry is split on the issue and while 21 states have laws requiring labling of gasoline pumps dispensing of methanol, Pennsylvania does not. Thus, an auto owner could void a warranty without really knowing it. It goes on and on. I'm not going to read it to you but it tells you which are the worst companies. Arco is the biggest company and one of the companies is going to start and maybe Arco is going to put signs up voluntarily. But the biggest concern is from the jobbers. Distributors and jobbers are not aware of the original blend. They add still methanol.

What I would like to do, since there is not a state act, we have the right as a body to see that, and I think Mr. O'Malley would be very helpful on that because of his gasoline bill, that we make sure that people, at least in our own area, are not damaging their car with the use of methanol in the gasoline and perhaps see if we can get the Commissioners to do likewise.

I don't know what the procedure would be on this. Do you want this in the form of a resolution at another date? How do we want to handle this?

The Chair:

If you intend some action, you're going to have to make some motion.

Michelle Madoff:

Fine. I'll give this to Mr. Perry and he'll make a copy for me and all of my colleagues will get copies and then we'll have a resolution drawn up.

Mr. Givens:

I would like a post agenda for this coming Wednesday to discuss that constitutional question that was given to us on the Mayor's veto where we didn't really have legal counsel regarding some of the programmed areas that this Council had funded for and were denied that funding under that Act IX, Article IX, I believe, of the Constitution of the State of Pennsylvania.

I need a copy of that order —

The Chair:

The veto on Grants and Donations?

Mr. Givens:

Yes. I need the Solicitor up here. I need the Director of Planning up here and any other agencies, Mike, that have to do with any of that funding that we so specified.

I need a letter very quickly of explanation on that article and how it actually really does affect what we did and if so, I'd like the Director of Planning to bring up all other likewise

funding that this Council has had where the funds have not been used. If this is new, I'll accept it. If this is something old, then I feel the Administration was fishing to do certain things against certain agencies that this Council had funded for. I feel that is very repulsive if that is the case, that the agencies that are needy of this particular money were denied it because of some loophole in our particular law. I'll just hold it at that particular thing.

Secondly, on the budget itself, there are some items that, according to our Solicitor, that particular day, that Saturday, that the budget is still open for a period of five weeks. That was news to me. I had always felt that this Council had voted upon that budget, it was the final budget and the only thing that we'd have in those ensuing five weeks, from January 1 on, would be technical changes or overt omissions that were caught after the budget was finally passed. But the fact that he is on public record as saying that that budget in certain areas is still open, then I still have cause for concern, I still have cause for concern debate and the fact that when we received the letter from the Mayor, it was received on a Friday afternoon, and we were in here on Saturday morning without much counsel to debate the various issues. As a result, I think we have now the latitude of an additional four or five weeks to look into some of these matters and to bring the appropriate department heads up here and find out what we can do to remedy some of the situations that happened on that veto. Do we have recourse? Can we amend that budget to help these people out?

The Chair:

Mr. Givens, the Chair agrees with you. I don't think that the five weeks permits us to now open up the whole budget. I've asked the City Solicitor. The language in the Home Rule Charter says one thing but I've asked him to check the legislative material on that because somewhere along the line, as I recall it, there was no intent to change that portion of it. Otherwise, it has no meaning to close the budget on December 31st, you can close it anytime. But I've asked him to research that thing so that we can definitely get, once and for all, the decision as to where it belongs.

Mr. Givens:

I likewise feel the same way you do. It came as a great surprise to me when he indicated there was only one thing that we had to vote on that particular Saturday and that was our own particular wages. I think as he indicated by his statement and, Mike, I think we need a copy of that particular portion of the records to hear exactly what our Solicitor was saying to this Council at that particular time. Otherwise, we could have voted on one thing. I felt that the Council that was still in office at that particular time had the prerogative and the right to vote it up or vote it down at that particular time. However, we're into a new ballgame and a new arena and with new Councilpeople sitting on this floor. I think now they should have the opportunity if in fact this Council can review and I feel that we should be able to review. Otherwise, I think that meeting and the whole veto process would be null and void because of the illegality of our Solicitor. I hope that's not the case.

(BEGINNING - SOLICITOR'S REMARKS FROM 12-31-83)

Mr. Pellegrini
City Solicitor:

Council has five weeks to

reconsider the budget by and under the terms of the Home Rule Charter.

Michelle Madoff:

Okay. But we could open it up today if we wanted to, if we wanted to amend. You can't amend without opening up the budget.

Mr. Pellegrini:

You can amend the budget today if you have a substitute resolution. The budget is not before you today, only the Mayor's veto. A separate bill would have to be introduced.

Michelle Madoff:

In other words, you don't open up the budget to have a compromise or an amendment? Suppose someone said we want to go to $25,000 on the salaries. Do you have to open up the budget to do that?

Mr. Pellegrini:

A separate resolution would be introduced with the new Council's salaries, it would be introduced today. It can be introduced if Council so desires.

Michelle Madoff:

You didn't answer my question; I'll try again. Supposing a member of this Council wants to change the $32,500 that the Mayor is proposing, to $25,000.

Mr. Pellegrini:

If you have the votes, Council can do that today.

Michelle Madoff:

But we don't have to open the budget to do that?

Mr. Pellegrini:

You're not opening the budget.

Michelle Madoff:

Isn't the budget closed?

Mr. Pellegrini:

For five weeks after the enactment of the budget, Council has the right to make changes in the budget.

Michelle Madoff:

Is that in the Home Rule Charter?

Mr. Pellegrini:

That is in the Home Rule Charter.

Michelle Madoff:

Thank you. You've answered my question. Thank you very much.

Mr. Woods:

Mr. Chairman, if we vote to uphold the Mayor's veto on all items or any other item, then it is up to us to come up with another figure. His recommendation is not law. Is that correct?

Mr. Pellegrini:

That's correct. This recommendation is not law but it is also something that is —

Mr. Stone:

Indicative of his feelings.

Mr. Woods:

But, once we uphold his veto, then it's up to this body to come up with

either that figure or any other figure.

Mr. Pellegrini:

That's correct.

The Chair:

Excuse me, if I may. I have a question to ask myself. I think you people raised a good point. Whether the veto is sustained or overridden today, in the future, the next five weeks, if Council would amend certain parts of the budget or make changes, then does the Mayor stil have a vote on that?

Mr. Pellegrini:

He still have the vetoing powers.

The Chair:

Okay.

Michelle Madoff:

Excuse me, Mr. President. There's one thing that we neglected to ask. I don't know whether the media was correct but they said that if we don't change that figure today, by law we will stay with our salaries as they are and they will be frozen as of tonight. Is that correct?

Mr. Pellegrini:

The only veto that has to be changed today if you want to put a substitute in the salary ordinance That's because of prohibition of raising diminishing salaries after they take office. So, it has to be done today.

Michelle Madoff:

That's the point I wanted to make perfectly clear to my colleagues. We can't open that issue in the next five weeks.

Mr. Pellegrini:

That's right.

Michelle Madoff:

That was the point I was getting at, Mr. President. Thank you for the time to clarify it.

Mr. Givens:

Danny, you have a folder there and you have many scenarios. Would you just go through and let this Council know what's in your brief case and what scenarios can develop here and what contingencies you have for Council if it does happen.

Mr. Pellegrini:

Most of the vetoes do not involve a change in — For instance, Council's salary adjustments would require a substitute bill. The other substitute bills we proposed, for instance, for Personnel and Appeals Board, would just require a change in the Code Account that the Mayor vetoed. Most of those would be non-controversial. We have prepared legislation that some of them were in accord with the Mayor's recommendation but we have someone standing by to prepare any compromise that the Mayor would decide.

Mr. Givens:

Danny, I asked you a specific question.

Mr. Pellegrini:

Do you want to know each alternative?

Mr. Givens:

Yes. I'd like to see what these alternatives are. I think that's your job and I think you should brief the Council on what alternatives we have here today.

Mr. Stone:

Hold on a minute, Mr. Givens. The reason he's prepared these things was at my request. I think what you're getting at is as follows. If we override the Mayor's veto, what's presently in the budget would stay. If you move to override the Mayor's veto and you don't have the required amount of votes, that means the Mayor's veto, in effect, is sustained. You then have an alternative to do nothing or substitute an alternative.

Taking for example, the salary increases. If you did nothing, the salaries for those five people would be $27,500. If you accepted the suggested recommendation from the Mayor to increase it by $5,000, it would end up being $32,500 and all Councilmembers would receive the same identical salary at $32,500. That's basically the kind of way it would work. You first find out whether you want to override it or not and if you're not able to then you take your alternative.

Michelle Madoff:

Excuse me, Mr. President. That's what happened the other day. We were in the middle of voting on Councilwoman Masloff's $32,500 and I asked her whether she would go to $27,500 in light of her feeling these are such bad times. She said she would and we continued right on with the vote of $32,500.

I don't want to go with the vote of $32,500 and override the veto or sustain it until we have an alternative. That was my purpose in saying, do we have to open up the budget or can we open up the budget. That was one reason. Supposing I want to recommend $27,500 and we've already voted on $32,500 and as one, I can't go back to $27,500. You haven't given me an opportunity. That's item one. Or if I want to go to $47,500. Somebody else may want to do that.

Now, what about if we want to change some of the line items that the Mayor has put into the budget where he's given several dozen of his own people merit increases and we say if we're going to take a cut back let his people take a cut back. How do we balance this? How do we open that budget? Can we open it today?

Mr. Pellegrini:

You have five weeks from the end of the fiscal year.

Michelle Madoff:

I didn't ask you that. Can I open it today?

The Chair:

Yes, Michelle. He's answered that.

Michelle Madoff:

That's all I want. A yes or a no.

Mr. Pellegrini:

If you prepare a substitute resolution for introduction. The original Council bill is not before you today. It would require a new bill.

Michelle Madoff:

Couldn't I make a floor motion?

Mr. Pellegrini:

No.

Michelle Madoff:

Why?

Mr. Pellegrini:

Because it would require at least a week.

Michelle Madoff:

You've said that you're prepared today to make resolutions and alternative resolutions if we need it in a hurry, right? You've got people standing by.

Mr. Pellegrini:

If Council desires, I could prepare a resolution.

Michelle Madoff:

So, I could make a resolution to open up the budget today. Is that correct?

Mr. Pellegrini:

The resolution is not to open the budget. The resolution to make specific line item changes in the budget.

Michelle Madoff:

I understand that; I have all my capacities. I'm asking you if I would also like to, in addition to that, open the budget within the next five weeks making today part of that five weeks, can we do that?

Mr. Pellegrini:

Yes, you can.

Michelle Madoff:

Thank you. I got my answer. Thank you, Mr. Pellegrini.

The Chair:

At the risk of this continuing, and I don't want to muddy the waters, I have one legal question to ask and maybe it's completely out of order or out of line. The budget that's going to be passed today, or was passed, regardless of the Mayor's veto, two members took part in that budget that will not vote in '84. Is it legal for two members coming aboard to vote on a budget they had no part of and the two who are leaving are not allowed to vote?

Mr. Pellegrini:

It's legal for the two new members of Council to participate in the budget.

The Chair:

Okay. That's all I wanted to know.

(END - SOLICITOR'S REMARKS - 12/31/83)

Mr. O'Malley:

Mr. Chairman, on November 29 and 30, I attended some classes at Wright University in Dayton, Ohio, and I'd like to have that report entered into our Council record.

(MR. O'MALLEY'S REPORT - 1/9/84)

January 9, 1984

Office of City Council
510 City-County Building
Pittsburgh, PA 15219

Dear President and Members of Council,

On November 29 and 30, 1983, I attended classes at Wright State University in Dayton, Ohio. These classes were in relation to my councilmatic duties.

The course dealt with management skills, working patterns, behaviors (the utilization of the best behavior for increased management effectiveness), strategies to resolve differences to maintain a balance among a large audience. The course also included speaking and presentation skills, a format for organizational structure, the effective use of preparation time, and what to do with complicated information in a presentation.

In my opinion, taking the above course was beneficial to myself and to my duties as a Councilperson.

Sincerely yours,

Jim O'Malley
City Council

JMO/drs

(END OF REPORT)

The Chair:

Before I go any further, for those who are not aware, Councilperson Sophie Masloff is out of the hospital. She is still not feeling well but we hope that she'll be back within a week and we wish her good health.

Michelle Madoff moved to excuse Mrs. Masloff for absence from the meeting.

Mr. Robinson seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Woods**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, January 16, 1984 No. 3

Municipal Record

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, January 16, 1984

PRESENT:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

ABSENT:

Mr. O'Malley

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Michelle Madoff:

Would Charlotte Ginsberg Arnold and her husband, John Arnold, and Mary Hall join us, please?

It is with great pleasure that I would like to present a resolution and I would hope that Mary Hall would say a few words afterwords.

Michelle Madoff presents

Bill No. 61 WHEREAS, under Ms. Charlotte Arnold's direction, The Program for Female Offenders, Inc. will open a work-release center in the spring of 1984 for women in the City and the County; and

WHEREAS, The Program for Female Offenders, Inc. has earned a nationwide reputation for its outstanding service to over 1200 women in Allegheny County since 1974; and

WHEREAS, Ms. Arnold was the founding president of Women in the Urban Crisis. Ms. Arnold was the recipient of ORT (Organization for Rehabilitatin and Training) "Social Assistance Award" in 1973, Hand-in-Hand, Inc.'s "Martin Luther King Award" in 1974 and "Person of the Year Award" from the Thomas Merton Center in 1974; was the keynote speaker - Statewide Conference on Female Criminality, at Madison, Wisconsin in 1979; published in Corrections Today - The Female Offender; and

WHEREAS, as the first

chairperson of the PA Juvenile Justice and Delinquency Prevention Advisory Committee from 1975-78, Ms. Arnold and her committee also changed the face of the juvenile justice system in Pennsylvania through the state legislature by 1) removing the stigma of the juvenile delinquent "label" from status offenders; 2) terming them "dependent children"; 3) insuring their treatment through securing goverment funding of programs; and 4) prohibiting their incarceration in county jails.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of the Council of the City of Pittsburgh hereby recognize Ms. Charlotte Arnold as "Woman of the Month" because of her outstanding service to the women and children of the City of Pittsburgh.

Michelle Madoff moved to adopt the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

Michelle Madoff:

I would like to say that I have known Charlotte Ginsberg Arnold for a very, very long time. I have tremendous admiration for her and it is very interesting while we're out on the trail, everywhere I went I heard Commissioner Foerster say, "And you know, she has the lowest recidivist rate of any criminal program in the country." I personally would hope that that program would catch fire and become a nationwide program because it is the only program that I know of with such a low recidivist rate and it really is a model for the rest of the country and is really cost effective.

Ms. Hall:

I'm very happy and proud to be here today to add our voice, that of Mayor Caliguiri's and of the Mayor's Task Force on Women in Renaissance II to the praise of Charlotte Arnold.

I have to tell you that in the last year in working with women's organizations, I believe the most touching moment that I experienced was the day that I went to the program for female offenders when they held their graduation ceremony for members of the program where the young women were being recognized for their academic accomplishments. I see members of Charlotte's staff here and I do want to say that that day has really stayed in my memory and is a real tribute to your work and particularly Charlotte's leadership in this area.

Again, we're very proud to join you here today in honoring Charlotte Arnold.

Michelle Madoff:

I don't want to be repetitive but nobody does anything alone and I'm sure that the people who are here to honor Charlotte today are people who have been very supportive of her and I'm sure her husband has been very supportive. Behind every great woman is a great man, right?

Ms. Arnold:

Thank you very much, Michelle, Mary and John. I really want to thank you for honoring me today because it gives me the opportunity to pay tribute to the staff and to the board of directors, particularly the founding president, Miss Katie Johnson, who is here today, for helping me to bring to you in May of this year with your help

and with the help of the County Commissioners, the first work release center for women in the nation and it will be here in Pittsburgh. I thank you for your tribute to me and will try to make sure that the program for female offenders brings you great pride. Thank you very much.

The Chair:

Charlotte, from every member of Council, we extend our congratulations and I'm sure that we're all waiting with anxiety for the completion of the building that you have been working on and I think it's a great contribution to the City of Pittsburgh. Thank you much.

Mr. Robinson:

Mr. President, members of Council and guests here assembled, it is indeed an honor today to read and present this resolution. In many respects, it represents the combination of at least six years of effort on my part to gain recognition for the Reverend Dr. Martin Luther King here in our City, at least recognition that I have felt has been long overdue.

I would like to take this opportunity to thank the Mayor and all the members of Council and everyone in the City who has been so kind and gracious over the last six years as we have attempted to press the national government to establish a national holiday on behalf of Dr. King. As most of you know, in 1986 the second Monday in January will be Martin Luther King Day, will be a national holiday, and from the bottom of my heart, I thank each and every one of you for being so kind and generous over the last six years working with me to impress upon our national leaders the necessity for this holiday.

This resolution today is one that I think is shared by many and I'd like to have at least two people come forward and perhaps have some comments after its read and adopted. One is Mrs. Katie Everett Johnson from the Port Authority of Allegheny County. She is the supervisor of their Community Relations Department and someone who I've known a long time and I think someone who certainly well represents Port Authority here today. The other person is Mr. Richard Adams who is a member of the Martin Luther King Support Committee, a committee that has been working in our City for a number of years to honor Dr. King on a regular basis. Mr. Adams is also a member of our Human Relations Commission and serves with distinction.

Mr. Robinson presents

Bill No. 62 WHEREAS, the Reverend Martin Luther King, Jr. dedicated his life and endeavors to the achievement of a just and healthy society and the enhancement of respect and trust in our institutions and the insurance that all citizens are treated equally before the law; and

WHEREAS, his outstanding contributions included the Nobel Peace Prize and other forms of international recognition; and

WHEREAS, January 15th is the birthdate of this great American and is celebrated throughout the United States of America; and

WHEREAS, celebrations are held in schools, churches, and community centers; and

WHEREAS, the Commonwealth of Pennsylvania has designated January 15th as a State Holiday; and

WHEREAS, the United States Congress has designated January 15th as

a National legal holiday beginning in 1986; and

WHEREAS, The Port Authority of Allegheny County has honored Dr. King by naming its East Busway in his memory.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh, on behalf of its citizens, does congratulate the Board of Directors of the Port Authority of Allegheny County on the naming of the East Busway in honor of Reverend Martin Luther King, Jr. and recognizes all other events, celebrations and memorial services throughout this nation in dedication to Dr. King.

Mr. Robinson moved to adopt the resolution.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mrs. Johnson:

Thank you Councilman Robinson and all of you for deciding to do this for the Port Authority of Allegheny County. We are delighted that we were able to share in the memory of this great citizen by naming the only exclusive busway in the entire country after such a man. It has been a well-received busway; the ridership increases every week and it spans a variety of neighborhoods. We think it's more than fitting that it would carry the name of Martin Luther King, Jr.

Thank you very much.

Mr. Adams:

I just want to say that this is a proud moment for me. Some fifteen years ago, I petitioned the School Board as a high school student to get Dr. King's birthday made a national holiday and followed up with a letter to then Congressman Moorehead who introduced a resolution. Earlier in the spring when I spoke to the Port Authority and before Council here and suggested the busway be named after Dr. King, little did I dream that it would be such a convergence of goals and that the national holiday would come at this time.

So, I'm very proud and happy and I hope that all of us will rededicate ourselves to the ideals of Dr. King and his movement which has inspired so many of us to go forward.

For those of you who are able, this evening Reverend Shuttlesworth, one of the five founders of SCLC will be speaking at a service in Dr. King's honor at Rodman Church at 7:00. I invite all of you to come.

Thank you and God bless you.

The Chair:

The Chair would be remiss if the Chair did not point out that this particular resolution received great impetus from the efforts of Councilman William Robinson. The Chair would like to make that known at this particular time. Mr. Robinson, you were in the forefront of it; you did a great deal for it and the fact that you're commemorating such a deserving individual is doubly a compliment.

Mr. Robinson:

Thank you, Mr. President.

Mr. Givens presented

No. 27 Resolution providing for a

Contract or Contracts for the purchase and delivery of new and/or used Heavy Equipment for use by Bureau of Operations in the maintenance of highways and sewers, at a cost not to exceed $200,000.00 chargeable to and payable from the Liquid Fuels Tax Trust Fund.

Also,

No. 28 Resolution providing for the letting of a Contract or Contracts, or to use existing Contracts for the purchase and delivery of various water pumps and salt spreading equipment for the Dept. of Public Works, at a cost not to exceed $50,000.00 chargeable to and payable from Code Account 1612-2, Equipment, Bureau of Operations, Dept. of Public Works.

Also,

No. 29 Communication from Louis R. Gaetano, Director, Dept. of Public Works, submitting Traffic Regulations to be instituted according to law on various streets in the City of Pittsburgh for a trial period of sixty (60) days beginning December 19, 1983.

Which were severally read and referred to the Committee on Public Works.

Michelle Madoff presented

No. 30 An Ordinance supplementing the Pittsburgh Code, Title Six, Conduct, Article 1, Regulated Rights and Actions, Chapter 601, Public Order, Section 601.15, Signs and Gasoline Stations for All Districts, by requiring gasoline stations that sell gasoline fuel containing more than 1 percent alcohol to display a sign indicating the amount and type of alcohol, in accordance with the guidelines of the National Conference on Weights and Measures. — **-(SPONSORED BY MICHELLE MADOFF)**

Which was read and referred to the Committee on Public Safety.

Mrs. Masloff presented

No. 31 Resolution authorizing the issuance of a warrant in favor of Eastley, Inc. in the amount of $4,161.75 in payment for heating work at the Pittsburgh Zoo, furnished for the benefit of the City without previous authority of law, chargeable to and payable from the Pittsburgh Zoo Membership Trust Fund PZMTF, in the Department of Parks and Recreation.

Which was read and referred to the Committee on Finance.

Also,

No. 32 Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting authorization for Carl A. Mancuso and Arch Herron to travel to San Diego, California to attend the ARCO Jesse Owens Regional Planning Conference on January 24-27, 1984, at no cost to the City. Prior approval by Council letter dated January 9, 1984.

Also,

No. 33 Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting authorization for Todd Meyer, Keith Romanowski, and Howard Hays to travel to Chicago, Illinois, San Francisco and San Diego, California on January 9-14, 1984, at no cost to be incurred to the City. Prior approval by Council letter dated January 9, 1984. The purpose of this trip is necessary for the investigations of the design and operations of other zoos in connection with their primate exhibits as such information may relate to the fourth phase of the Pittsburgh New Zoo Project.

Which were read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 34 Resolution providing for the issuance of a warrant in favor of South Hills Computer Center, Inc. in the amount of $562.50, in payment for repairs, chargeable to and payable from the City-County Integrated Identification System Project (C-CIISP) Special Trust Fund No. 2, Pittsburgh National Bank.

Which was read and referred to the Committee on Finance.

Also,

No. 35 Resolution authorizing the Superintendent of the Bureau of Building Inspection to dispose of all violation files, general correspondence files, carfare reports, daily reports and demolition files relating thereto in the Bureau of Building Inspection prior to 1977 and the continuing disposal of same.

Which was read and referred to the Committee on Public Safety.

Mr. Robinson presented

No. 36 Resolution amending Res. No. 1204, appr. Nov. 19, 1981, entitled, "Providing for the designation of certain districts and structures as being of historic and landmark significance under Section 3 of the Ordinance 20, appr. July 30, 1979." Such districts and structures are known as the Manchester Historic District by adding five properties on Allegheny Avenue to the Manchester Historic District.

Also,

No. 37 Communication from Robert H. Lurcott, Director, Dept. of City Planning, requesting authorization for himself to attend a meeting in New York on January 29 and 30, 1984, at a cost not to exceed $350.00 payable from Code Account No. 1983, CDPA 4-35-01-0012-83-49-83-35. The purpose of this meeting will be to discuss the revitalization of public facilities, urban infrastructure and federal funding with representatives from planning departments throughout the country.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 38 Resolution providing for the issuance of a warrant in favor of Independent Enterprises Inc., Box 221, Bridgeville, PA 15017, in the amount of $21,760.00 in payment for extra work furnished for the benefit of the City in connection with Relay of Water Lines in South Pacific Avenue, chargeable to and payable from Code Account WD 82-04 (4-05-15-0001-82), Department of Water.

Also,

No. 39 Resolution providing for the issuance of a warrant in favor of Independent Enterprises Inc., Box 221, Bridgeville, PA 15017 in the amount of $53,218.25, in payment for extra work incurred during Water Line Relays in Smallman Street, Mulberry Way, Eleventh, Twelfth and Thirteenth Streets, chargeable to and payable from Code Account WD 84-06, 4-05-15-0001-84.

Which were read and referred to the Committee on Finance.

Mr. Wagner moved to suspend Rule 8 by providing consideration of the bills only until or after the 9th calendar day following the meeting in which the bills

were introduced so they will be on the Agenda this Wednesday.

Mr. Woods seconded the motion.

Which motion prevailed.

Also,

No. 40 Resolution providing for the issuance of a warrant in favor of Noralco Corporation in the amount of $440,625.00 in payment for an Emergency Contract furnished for the benefit of the City in connection with the E. Sycamore Street Hillside Stabilization, including necessary work on private property and other work incidental thereto, chargeable to and payable from Code Account PW 83-31, 4-01-01-0147-83, E. Sycamore Street Hillside Stabilization. Prior approval granted by Council letter dated August 1, 1983.

Which was read and referred to the Committee on Finance.

Also,

No. 41 Resolution amending Res. No. 441, appr. June 10, 1983, eff. June 17, 1983, entitled, "Providing for a Contract or Contracts for Wall Reconstruction of Windom Street at Lauer Way, including necessary work on private property and other work incidental thereto; and providing for the payment of the cost thereof," by increasing the project allocation from $175,000.00 to $200,000.00.

Also,

No. 42 Resolution providing for an Agreement or Agreements or the use of existing Agreements for architectural, engineering or other professional services in connection with the design and rehabilitation of Eleanor Street Playground, at a cost not to exceed $10,000.00 chargeable to and payable from Project Code 4-10-10-1577-83-219-83-10, (PR83-14), Eleanor Street, in the Dept. of Engineering and Construction.

Also,

No. 43 Resolution providing for an Agreement or Agreements or the use of existing Agreements for architectural, engineering or other professional services in connection with the design for the implementation of the Zoo Master Plan, at a cost not to exceed $150,000.00 chargeable to and payable from Project Code 4-10-01-1230-83 (PR83-02), Zoo Master Plan - Design and Implementation, in the Dept. of Engineering and Construction.

Also,

No. 44 Resolution providing for an Agreement or Agreements or the use of existing Agreements for architectural, engineering or other professional services in connection with the design for rehabilitation of Phipps Conservatory, at a cost not to exceed $64,000.00 chargeable to and payable from Project Code 4-10-01-1280-84 (PR84-01), Phipps Conservatory, Rehabilitation of Structure, in the Dept. of Engineering and Construction.

Also,

No. 45 Communication from Paul E. McDermott, Director, Dept. of Engineering and Construction, requesting interim approval for payment for work in connection with the general construction contract at the new Riverview Park Pool and Bathhouse, at a cost not to exceed $3,550.00 payable from Riverview Pool Trust Fund.

Also,

No. 46 Communication from Paul E. McDermott, Director, Dept. of Engineering and Construction, requesting authorization for John Barbati and William Graham to attend the Conference for Training on the use of the Troxler 3401 Roadreader in Columbus, Ohio, on February 28 and 29, 1984, at a cost not to exceed $555.00 payable from Code Account No. 1482, Misc. Services, Dept. of Engineering and Construction.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Woods presented

No. 47 Resolution signifying the desire and intention of the City of Pittsburgh to organize an Authority under the Municipality Authorities Act of May 2nd, One Thousand Nine Hundred Forty-Five, setting forth the proposed Articles of Incorporation of the Pittsburgh Water and Sewer Authority, authorizing the proper officers of the City of Pittsburgh to execute said Articles of Incorporation for and on behalf of said City of Pittsburgh and repealing all resolutions or parts of resolutions inconsistent herewith.

Also,

No. 48 Resolution authorizing the Mayor and some or all of the Directors of the Departments of Engineering and Construction, Finance, Public Works, Water, General Services, and Parks and Recreation, and the Chief of the Fire Department, on behalf of the City of Pittsburgh, are hereby authorized to enter into an Agreement or Agreements with the Pittsburgh Water and Sewer Authority, a municipal authority being formed under the Municipality Authorities Act of 1945, as amended, under which the City's water and sewer system will be, inter alia, operated and maintained.

Which were read and referred to the Committee on Finance.

Mr. Woods moved to suspend Rule 8 by providing consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so they will be on the Agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. Givens:

We're having a hearing on this on Thursday, aren't we?

The Chair:

That's why he's moving it so it will come on Wednesday and it will fit in with the Thrusday meeting.

Mr. Givens:

What are you going to do Wednesday? Just hold it, right?

The Chair:

Right, but you want to put it in Committee so it comes on the floor for Thursday.

Mr. Givens:

Is that a vote before this Council?

The Chair:

The motion is to waive Rule 8 so it gets on Wednesday. At that time, we'll hold it until after the hearing.

Mr. Givens:

I agree with that but I'm in no hurry to even introduce this particular ordinance until such time as we have the public hearing and other dialogue that should follow.

The Chair:

Yes, but the proper procedural thing, Dick, is to have it come up on Wednesday, hold it until after the public hearing.

Mr. Givens:

I follow that, Mr. President, but that can be very quickly voted on in the following Wednesday session. Otherwise, the Thursday is the public hearing and the following Wednesday, a preliminary vote on this. I am not ready to move that quickly. I want to hear what the public hearing has to say and I think other actions should come out of this Council even before we introduce it. We do not have to have this legislation before us. The public hearing was set back in 1983.

I think the public has to be fully aware of this and we must get input from our public.

The Chair:

The Chair does not see any problem with it. It's a matter of putting it —

Mr. Givens:

There are certain limitations of time. What's the time, Mike, when the bill is introduced? Is it 90 days we have to act on it or something?

Mr. Perry:

This is the creation of an authority. It's a little different than a regular ordinance.

Mr. Givens:

Normal legislation is how many days?

Mr. Perry:

Normal legislation is ten days.

Mr. Givens:

Ten days. This Councilman doesn't want to make that rapid decision. I want to hear what the public has to say out there about this Water Authority before we move into it. This thing wasn't created over night and I don't think we're going to solve it over night. We should deliberate this, form committees to study it, get our own input. The only thing I've received so far are two documents and both of them came from the Administration. That is not Dick Givens doing his job for the public who elected me out there. I want to study this particular issue; I want to hear from independent and other experts. Not just at the public hearing, Mr. President, but along and beside that, I think this Council should dig into this and dig into it very earnestly as to what actions we want to take on this.

The Chair:

Let the Chair try to make it again clear as to what's involved. It's a matter of getting the legislation in place, as well, tie it together with the public hearing and after that, whatever disposition is to come and that's not taking a yes or no answer on it but you have to have it all together. It's just a procedural matter now.

Mr. Givens:

May I submit that you can bring that off the table this Wednesday and have a quick vote? Five votes and we're into a Water Authority and I don't think the people of the Citv of Pittsburgh want that. I think they want to hear —

The Chair:

I don't think anyone is going to approve it before a hearing, Dick, and I think —

Mr. Givens:

I'm not saying this Wednesday, I'm saying next Wednesday.

The Chair:

What difference does it make whether you waive the Rule then or you don't? It still comes up for that Wednesday.

Mr. Givens:

I'm saying that I then cast a no vote to put this on the floor for debate this coming Wednesday. Table it or otherwise.

Michelle Madoff:

I don't want to be out of order. I want to address the whole issue of the Water Authority. The issue of Wednesday is not an issue to me. We've got to get it in place, I agree with you.

The Chair:

I think that's what should be done, frankly. As far as the Water Authority, that will have to be addressed then. We're only talking about whether it goes on Wednesday's meeting.

Michelle Madoff:

Are we voting on that or are we talking about whether we put it up o the 8th? Is that what you wanted to talk about, Bill?

Mr. Robinson:

Yes, that's what I wanted to comment on, if I might. I'm going to support the waiver of the Rule. Very briefly, my reason for doing that is that we've had a lot of discussion in this Council about the proposed creation of a Water and Sewer Authority and we've taken some actions which have given the impression that we're going to create a Sewer and Water Authority. It seems to me that we ought to now at least consider some legislation so that we can vote intelligently whether we want to have it or not have it. To delay submitting legislation, if that's what the Administration thinks we should do, and I think it's rather obvious that's what they think we should do, then we need to entertain their legislation as quickly as possible. As far as the issue of getting the information that we need, this Council has been rather clear in indicating that whatever information members of Council need in this regard they should get. I have taken my own initiative to have some people look at this issue from the first day I read about it in the newspaper and subsequent to talking to a number of people about this matter. I would encourage everyone to support the whole notion of putting it on the agenda for this Wednesday and I think that I, for one, certainly would be unready to vote on this legislation soon thereafter. Soon thereafter to me means next Monday. I don't think it would be in the best interest of this Council or this City for anyone to trv to rush this thing through this Monday and next Monday. I'm sure that neither the President of this Council or the Mayor is proposing

that.

The Chair:

On the motion?

Mr. Givens:

Opposed.

The Chair:

Okay, we have one against. The motion carries.

Michelle Madoff:

On the bill?

The Chair:

Michelle, these are only introductions.

Michelle Madoff:

But I think it's very pertinent that I address that now.

The Chair:

We can't open up for debate during the presentation of papers.

Michelle Madoff:

I'm not opening up for debate, Mr. Stone. We voted in this Council, a majority vote, that we would have an advisor come in, paid for, to address the issue.

The Chair:

Can I do this much then? Can you bring that up under remarks and I'm prepared to talk to you about.

Michelle Madoff:

I thought that's where we — Do you want to wait until the end of the — Certainly. I'll bring it up at that point. Fine.

The Chair:

I don't want to start precedent because there's no debate on presentation of papers.

Michelle Madoff:

No problem. Mr. Chairman, I don't want to be out of order. I'll wait until the proper time.

Also,

No. 49 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal Article 1, Administration, by changing the rate of interest on certain delinquent earned income and Home Rule taxes. Interim approval granted by Council letter dated December 27, 1983.

Also,

No. 50 Resolution providing for an Agreement or Agreements with data processing micrographic specialists or consultants for computer processed microfiche services in connection with real estate tax, water and sewage service, and various other tax, service, and payroll and worker's compensation records, at a cost not to exceed $25,000.00 chargeable to and payable from Code Account No. 1063, Misc. Services, Dept. of Finance.

Also,

No. 51 Resolution repealing Item K of Res. No. 506, appr. 7-1-83, for the sale of a 2 Sty. Fra. Hse. at 80 Henderson Street, 25th Ward, Block &

Lot 23-G-275, to Mark Farester, for the sum of $2,700.00. Resolution is to repeal sale and return hand money.

Also,

No. 52 Resolution amending Item B of Res. No. 1132, appr. 12-20-83 for the sale of a 2½ Sty. Brk. Hse. at 2828 Bedford Avenue in the 5th Ward, Block & Lot 10-D-80, to Linda Durr, for the sum of $5,000.00. Amendment is to add name to list of former owners.

Also,

No. 53 Resolution amending Item G of Res. No. 1132, appr. 12-20-83, for the sale of a 3 Sty. Bldg. at 541 Paulson Avenue, 12th Ward, Block & Lot 124-P-21, to Roosevelt & Leatha Anderson, his wife, for the sum of $1,500.00. Resolution is to correct spelling of a name of former owner.

Also,

No. 54 Resolution repealing certain resolutions, approved on various dates for the sale of properties in various wards, as described. Resolution is to cancel sales and forfeit the hand money in the respective sales.

Also,

No. 55 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended.

Also,

No. 56 Communication from Ronald C. Schmeiser, Director, Dept. of Finance, requesting authorization for Benjamin Bendetti to attend the Risk Control Course at Robert Morris College on 12 consecutive Mondays from February 6 through April 23, 1984, at a cost not to exceed $310.00 payable from Code Account No. 1063, Misc. Services, Dept. of Finance.

Also,

No. 57 Communication from the Board of Property Assessment, Appeals, and Review submitting its certified total assessments of land and buildings for the City of Pittsburgh, applicable to the year 1984.

Which were serverally read and referred to the Committee on Finance.

The Chair presented

No. 58 Petition from the residents of the City of Pittsburgh, requesting a public hearing on whether or not tax dollars have been invested in the Station Square Complex; what is or has been the role of the City of Pittsburgh; and what is the policy of City Council when certain corporations are not interested in good-faith bargaining.

Which was read and referred to the Committee on Finance.

UNFINISHED BUSINESS

Michelle Madoff:

Mr. President, I would hope you would indulge me. We were severely chastised by the media for having what is known as a violation of the Sunshine Bill when we met in the back room. I thought that what we did was really have a catharsis, sort of a group therapy session. I don't think we violated any laws. We sort of exchanged any hostility or feelings that have been created in the past and we were going to commit ourselves to working with respect for each other and harmony.

I'm a little disturbed that perhaps that intention has not been followed when this Council has voted, by majority, and when I lose I will take it graciously, but I won that one, to have a fiscal person review the status of the proposed Water Authority.

You know I've been very up front with you; I have contacted you personally and shared with you the names of the people that I have spoken to. Is that not so?

The Chair:

Yes, and I have spoken to them.

Michelle Madoff:

I spoke with them today and they did not inform me that they have spoken with you.

I think it is also important that I'm a little disturbed to point out that you had said that you would try to schedule a meeting for Council for today and perhaps you could not do that, to discuss among ourselves and with Mr. Schmeiser and the people sponsoring the authority, the Administration, why they feel we should go to a Water Authority and we would have a chance to exchange some thoughts.

The Chair:

Michelle, hold it a second. I did carry your request to the Mayor and tried to set up for today that meeting. It was the Mayor's desire that he meet with everyone in groups and that's what —

Michelle Madoff:

Thank you and that's why I'm going to address that.

My turn at bat was this morning. I met with Mr. Schmeiser —

The Chair:

It's my understanding he will meet with everybody before Thursday relative to this particular matter.

Michelle Madoff:

I'm disturbed about that and I hope you would respect my objection.

This is what we did on the Stadium Authority. We met independently in the Judge's chamber with the Administration, one at a time. Today I was honored to meet with Mr. Schmeiser, Mr Turner, Mr. Schillo, over at the Finance office. What I did was get all my thoughts together and like Mr. Givens and Mr. Robinson, I, as head of the Water Committee, feel I have a special obligation to learn a little bit about my interest which is the bonding of the City in any event, and out debt service, but the Water Authority which is my committee.

In having spoken to a number of people, I would like you to indulge me while I share with you what I shared with Mr. Schmeiser, Mr. Schillo and Mr. Turner, and they told me that I was right. I think that it's important that this Council know that. My question to them was, why not a water revenue bond, a guaranteed water revenue bond, as opposed to an authority? A water authority bond can be issued by the City by segregating revenues generated by the sale of water. Essentially, these bonds would be paid for with user based revenues and should not affect the City's bond rating except to help in the same way that an authority would hopefully lower rates. This would assure that the control of raising or lowering water rates in the future would remain with us, the City and City Council, and not with an

independent bureaucracy that would have only one purpose and that purpose, of course, would be just addressing the water and I'm not even going to go into the sewers at this time, and could in fact ultimately have a large surplus. As you know, Alcosan has a surplus. An authority would have the sole say over rate increases and rates could increase not double but four fold. History has shown that to be true. Authorities do not ever lower rates. Instead, they use surplusses for creating a system which is a Cadillac when an Oldsmobile will do the job nicely. Further, general authority bonds pay a higher rate of return and are generally more costly than other bonds. That was the one point that we did not quite agree on but since speaking to them I will give some additional information when I get to the end of my little one page statement here. I have talked to people to find out indeed it is another issue and it is a higher bond to us. Authorities can become, this is my own personal view, right with bureaucratic jobs over the long haul and are hot beds of patronage. The argument that Pittsburghers pay one of the lowest rates in the country will not hold true and will become moot, I believe, within the third year as proposed by the rate increase of the Administration. Further, other communities who do have higher water rates, are not saddled with an unheard of four percent wage tax. Maybe we deserve lower water rates.

In any scenario, in anything we decide to do in this Council, water rates must be raised to factor in the actual cost of generating the water and delivery. In other words, factoring the capital cost. Once rates reflect the true cost, the large users will be helping to defray the guaranteed water revenue bond without the need for an authority. In light of the fact that the City will guarantee or will still be the guarantor for the insurance of all liability for an authority, I would argue that there is no reason to go to an authority. That's a further argument why not to go to an authority.

Harrisburg, incidently, after using a consulting firm that I have been talking to, decided not to go to a water authority. City Council has put the Mayor on notice there that they will not go to a water authority and the only thing they will accept is either a guaranteed water revenue bond or a general obligation bond. Last year, Harrisburg anticipated a $1.5 million, after raising rates, return to the City for water. They got $2 million which put another half million into their general fund.

I've discussed these issues with Mr. William Cobb of Government Finance Associates of Princeton, New Jersy, and with Mr. Marty Margolis, Financial Management Services of Harrisburg and I also fleetingly discussed the concept of a water revenue bond with Mr. Jack Robbin, the architect of Renaissance I and II, and he didn't disagree with my premise.

The unanswered issue for me until today was whether we were going to have a municipal authority or a state authority because that affects how the PUC would interact and I've learned it's going to be a municipal authority chartered by the state.

I would hope that we would take the time, Mr. Givens and others have stated, to have a consulting firm or individual review the data supplied by Green International and Price Waterhouse to advise Council as to what would be the best route for us to take. Then I believe we would be voting intelligently. We would not have a conflict of interest and we would be

voting as an independent body.

I am disturbed that Mead Mulvihill has already been selected as the counsel for the Water Authority and that no contract is available for members of Council to see although the bond underwriters and the counsel, meaning the attorneys for Ed Strauss, for Brook and Russ Lander and Blight Eastman. I've already seen drafts of that same agreement. I have not seen the agreement, the lease between the Authority and the City. I've not been privileged, and I don't think any other member of Council has unless it came through today, to see any contractual arrangement for bonds.

Getting back to the last item that I mentioned that I would refer back to on an authority bond versus a general revenue bond. The reason authority bonds are greater is that you have to have an indenture, a coverage indenture, that is 20 percent higher than you would normally require. In other words, if we need 100 percent to meet out debt, we raise rates to cover that 100 percent of a general bond, we've already put in 120 percent recovery.

The Chair:

At this moment you are quoting whom?

Michelle Madoff:

I'm quoting the statement we got from the Administration by Mr. Katz, I believe, who says that we have to put that money aside.

Now, from where I sit, I think it's appropriate since we have not met at large, we've all met individually with the fiscal people, I think we're at a great disadvantage that way. I want to go on record and I've told the Mayor this, that I personally believe after doing my research, but my mind is not locked in the closed position, it could be changed, as of this moment I believe that we gain nothing by going to a water authority except to assure that water rates will increase, perhaps three and four times, we lose control and we gain nothing really. Even if it were true that a water authority would have a lower rate on bonds, the trade off of giving up the right to control water rates or even lower them and having that money to operate the City is just too costly. I think we have to think about that very, very carefully.

There was an article in the editorial of the Post, I believe, on Ms. Hafer saying that she was wrong in her approach to a bond issue. One of the things they state is that she went at the issue but from the wrong point was that we should not be negotiating our bond, we should be bidding it. I've talked to some attorneys and they tell me that last year Duquesne Light saved $1.5 million on their bond issue by going out on a competitive bid on the bond as opposed to negotiating the sale of the bonds.

I support the Post in that position. I would like to point out further, Mr. Stone, that you've made a statement which I took to be gospel. I figured you know more than I do. I'm not so sure that is correct and I hope you would respect that opinion. How could somebody, a fiscal entity, come in in a very short period of time, in two weeks, tell us better than the other people who have been advising the Administration over a year's period and be able to make a constructive recommendation to us? They said the same thing to me today. I spoke to Mr. Marty Margolis who will call me tomorrow and tell me whether for $500 or slightly more, he would be willing to fly in here on the 19th and based on exactly the same information

that this Council has, we have nothing else, we only have what we have, using the same data which I shipped to them Air Express and it arrived Friday, they are prepared to come in and give us both sides of the issue and then let us make up our own minds. Then we are getting our own independent counsel and our advisors fiscally. I think we voted on that and I would like to make a recommendation that if they will come or if you have somebody else, Government Finance out of Princeton are the people who did the Baltimore authority, they recommended the authority and other places they recommended against it.

The decision is going to be ours, ladies and gentlemen of Council. It is really a decision that could go either way. It is really not going to affect the City substantively whether we go to an authority or whether we issue a guaranteed water revenue bond. But we are going to give up the right and what we don't want to do is bite the bullet and raise rates for saying, "Hey, Authority, you go raise the rates" and then we're nice and clean and our hands are clean. I don't think we can do that and I would respectfully ask that we vote this moment on having a consultant come in for the 19th to give us some interpretation since we voted to have a consultant at any event.

The Chair:

Let me just back you up slightly. It is true that you asked me on behalf of Councilmembers to talk with the Mayor and as I've reported to you, the Mayor indicated that he would meet with every Councilperson. It is my understanding that he either has met with all or at least most, but will finish with everybody.

Secondly, you gave me some names, one of which was Attorney Peter Denby. I spoke to Peter Denby and he indicated that the kind of advice that he would give would be legal rather than fiscal.

Michelle Madoff:

That is correct.

The Chair:

You also gave me the name of Mr. William Cobbs at Princeton and I called that number, 609-453-1575. He was not there.

Michelle Madoff:

It's 452-1575.

The Chair:

I got him in New York at 212-466-0566. In speaking to him, he indicated that you had spoken to him some ten days ago. He said he was not aware there was $150-160 million involved in this matter. He indicated that as far as his work is concerned that he felt that he could not, on account of an expeditious fashion, handle the matter. He said that he was looking more toward a yearly or project involvement and indicated that you had talked to him something about $40,000 to $50,000 and he also indicated to me that he was aware of Mr. Katz' organization and while they are in competition, he felt that Mr. Katz was a reliable individual. I told him I would get back to him because I figured this matter would come up now.

I just want to straighten the record that I've done everything I was supposed to do.

Michelle Madoff:

May I respond to that?

The Chair:

Do you agree with that?

Michelle Madoff:

No, not quite. He's a little confused.

The Chair:

That's not my point.

Michelle Madoff:

No, I think you followed through with those two people but I don't think they're the only two people in the whole world that we could talk to.

The Chair:

That's not my point, though. I then did not violate the trust that you had —

Michelle Madoff:

No, I am not saying that. I'm saying that I would like to have a procedure whereby if that person can't do it, I'm groping to find somebody, we should not be at this last minute groping for somebody when this should have been done a long time ago.

The Chair:

The Chair stands ready, willing and able to accept all of your suggestions. I do think, however, that we should try to get the best results, even under the constraints of where it is. That's where I'm at with it, frankly. He indicated that before he could do too much about it he would need to first have the material. Apparently you didn't send the material to him.

Michelle Madoff:

I sent it to the other gentleman.

The Chair:

He indicated after that it would still take some time but that he frankly was looking for annual or project, like a bond issue, kind of deal.

Michelle Madoff:

Point of clarification. The $40,000 to $50,000, what happened is there's a young woman by the name of Miss Ronnie Goldsmith. Mr. Woods said before we discuss a fiscal advisor, and I think other members of Council have said they would like to define what the role of that person would be because if that person came aboard, would they be getting a salary, would they be full-time, what would they do and what extra monies would they need. I got to him through Miss Ronnie Goldsmith. Miss Ronnie Goldsmith is the, and I'd like to share this with Council, the fiscal analyst for the city of Baltimore. The city of Baltimore was in very much the same situation as the City of Pittsburgh was. They Mayor handed down all the information with his input, his advisors. The equivalent of the Allegheny Conference in Baltimore which is the John Hopkins Hospital I believe, head of that hospital who is also head of their equivalent of the Allegheny Conference, felt that the Council of the City of Baltimore should indeed have their own fiscal personage. They went out and hired this person by running an ad in the New York Times which essentially said, the ad in the New York Times to assure the independence of the person hired. The requirements were for a person to have a Masters Degree plus, not just a Masters Degree but plus a Municipal Finance or Economics who had taught at the university level as well as having

legislative experience in the field of public finance. They hired this woman; she's now earning $50,000. She works as the head of what we consider our budget office. They have people like Mr. Buckley and Mr. D'Alessandro and others who do the accounting and the bookkeeping. She analyses the data for someone like you, for the Finance Chairman. That is her staff. But when they went out for a bond, they went to the gentleman you called. He was Mr. Cobb in Princeton. The $40,000 to $50,000 figure was her salary; that did come up in conversation. He said he would not recommend having, and that's what I wanted to share with Council, having what I've termed as a "fiscal advisor" and so did the other gentleman I spoke to. They said what you need is an on-going, day by day, fiscal analyst who works in our budget department who is equipped with the credentials that I just outlined. I've spoken to our good people who do tremendous work in our budget office but who agree they don't have these qualifications. At that point, if we decided to go out on a water authority or we had an issue like the Stadium, then you hire one of these people but not as we're doing, in the last ten days.

In talking with Mr. Margolis he did tell me that since there is no other information available other than what Council has received, he could, within a day, digest that information and pointed out to me that a lot of information isn't there, some of the information I'm sharing with you, which was essentially that you just can't look at the Water Authority separately as a bond without looking at the fact that you have to provide the coverage indenture which raises the cost of the Water Authority bonds and he's prepared to come here if his partners agree to it. Here I am at zero hour, groping, trying to do the right thing, and looking for somebody. Well, maybe I don't have one of the 25 people that could come. You talked to one and they said no. I talked to one who said maybe. But we've got to get one that's going to say yes because this Council voted to have somebody. There's somebody that can take the same information that this Council is privy to because that's all we have, and certainly analyze it with their experience a lot better than we could do. We voted for that and I would like to have that come to fruition.

The Chair:

There's no question of that. As I indicated to you earlier, I think the time constraints makes almost that kind of study useless. If we want to waste money we might. But on the other hand, relative to any expert or consultant along these lines, I told you then and you took the availability to come to my office and give me names and I followed it up.

Michelle Madoff:

I'm not criticizing you, Mr. Stone. All I'm saying is that it's unfortunate, as Mr. Givens has pointed out, that here we are at zero hour looking for people. I have somebody who said, and I will quote, I think you missed this, that since there is no other data except what we've been provided for and the contract can be obtained immediately, that they can make some recommendations, both pro and con, to this Council so that we can make up our own minds. They can do that. How can we make decisions on information we don't have either?

So, when you say how can they do it in such a short period of time, the data is there. We have no reason to question the data. It's a matter of interpreting the data. My interpretation at this point is that we should not go to a water

authority; we should issue a guaranteed water revenue bond. That's how I feel.

The Chair:

I don't want to go into the second issue because I think we're —

Michelle Madoff:

We still need to have a fiscal person come in.

The Chair:

Whether we have or do not have is not the issue at this point. The issue is whether or not we have a fiscal advisor and the Chair is still willing to take names from anyone and talk to them to see whether or not they can carry out what you intend.

Michelle Madoff:

The problem I had with Mr. Margolis is that I think he's afraid as most consultants would be of killing off his chances of every doing any work for the City by coming in and working for a person. I think it would be improper for him to come in although I have a stipend for the year and I can hire him out of my stipend to come in and by my Michelle Madoff consultant. I would much prefer that the President of Council call and say we have a vote, are you prepared to analyze the data you have and come in and testify on the 19th.

The Chair:

That's exactly what I'm trying to do. I don't know what more I can do for you. You give me a name and I'll call and find out.

Michelle Madoff:

Will you call Mr. Margolis and ask him? He will be in tomorrow.

The Chair:

Yes.

Michelle Madoff:

One last thing. You talked about Mr. Peter Denby. What you say is correct. Miss Gunther and I went to see him and he had another gentleman who is an expert in authorities. They said exactly what you said. The only information that they could give us would be one of a legal nature. They would not be able to give us one of a fiscal nature and they strongly recommended that this Council get ourselves some economic advisor input. But he did say in reviewing this material that I've just reviewed with you, and he's going to review it and give me some feedback, essentially that it could be one way or the other. Everybody is saying that. So, it boils down to how does this Council want to vote. Do we want to get rid of the obligation and give it to an authority or do we want to keep it and take that responsibility?

The Chair:

No, I think the issue before this Council is, you've already voted for a fiscal advisor.

Michelle Madoff:

For this issue.

The Chair:

For this issue only. The Chair stands ready, willing and able to take any names and investigate to try to get someone who is going to give us a review and hopefully we're going to get our money's worth.

Michelle Madoff:

I thank you very much for that and as I said, if it's just $500, I'd be happy to pay it out of my stipend for staffing. However, I think that becomes bad.

The Chair:

I'm willing to talk to him and then we'll find out where we go. For me, I'm probing what number one, so you know, what services they're going to perform, how much monev they want and do they have any information. If not, once you get it how long will it take for you to assemble it, to absorb it, and be qualified, then and only then, to give us an opinion.

Michelle Madoff:

They're going to work, Mr. Stone, I hate to be repetitious, with exactly the information that we have presently. Council has only been provided with certain documents.

The Chair:

That doesn't bother me.

Michelle Madoff:

They can do that in 24 hours.

The Chair:

The only thing that bothers me is if someone can make a decision before they get the material.

Michelle Madoff:

They haven't made a decision before they got the material. They arrived Friday and they said they would review it and wouldn't even tell me until tomorrow if they'll come in.

The Chair:

I'm talking about one of the others who did not get material.

Just so we understand where we are at this moment. We are not talking yes or no on the Water Authority. We're only talking about whether or not we get the fiscal advisor. That's already been voted on and it's matter now that you give me the names and I'll follow it up. I'm not dodging it.

Mrs. Masloff:

Mr. President, the question is moot, I know, because you voted to appoint or elect or assign a fiscal advisor. I may be naive but I believe that we were elected by the people to make decisions based on common sense. It doesn't make sense to me to pay an expensive advisor to tell us what to do. If we talk to five advisors we're going to get five opinions. If any Councilmember feels the need for information in any matter, he or she has resources to avail themsevles of before they make an opinion. I can't understand why we should pay any exorbitant fees which some of these advisors want for opinions that we may or may not take or even want.

So, I'm against the fiscal advisor. I don't think they can give us anything that we can't get ourselves.

The Chair:

Sophie, we have your remarks for the record but we've already voted on it and it's past.

Mrs. Masloff:

I know. I know the question is moot and I wasn't here.

Mr. Givens:

Mr. Stone, I was somewhat disturbed when this ordinance was introduced today in regards to the Water Authority. It was very interesting that when the legal department that represents this Council mailed out on Thursday to all the Councilmembers what was going to be on the agenda this coming Monday as far as introduction of papers, what we were going to sit down and discuss with the Mayor's staff, this was not a part of it. I came out here at 2:00 to this session and all of a sudden it's introduced in the Chairmanship of Finance. I have not had the opportunity to even look at that document and yet we're even waiving Council's Rule 8 so it will be on the agenda this coming Wednesday with a public hearing Thursday. I can guarantee you that this Council will be forced into a vote by the following Wednesday. Just so all the information that Michelle is talking about, we must sit down and deliberate and study it.

I don't agree with what Sophie had to say. You get five opinions, you're going to get five different opinions. I want more than two opinions on this subject. I want a third and I want a fourth and I want this Council to go out and seek that opinion so when they come in to us, we're not giving them a mandate of anything. We're saying, "You look at these other two documents and you compare and you tell us what we're in store for." And it's not what we're in store for, it's what the public is in store for because the public is going to pay the freight. Do they want to do it on a longer term, under our normal operating budget, which means that we in this Council will have to raise a little bit of taxes over the next ensuing 10 to 15 years to do this? Or do we want to go out and borrow up to that some $145 million at 10 percent and indebt our children in paying this water system off? The water system didn't go bad over night. It's not a catastrophe.

The Chair:

Mr. Givens, I don't mind you talking as long as it's only on the matter of a fiscal advisor. Let's not talk about yes or no —

Mr. Givens:

We're talking about the bill that was introduced —

The Chair:

No, we're not on that issue.

Mr. Givens:

The mere fact of getting information.

The Chair:

We are not on that issue. We are only on the matter of fiscal advisor.

Mr. Givens:

That's what I'm getting down to. We don't have two or three reservoirs to a tower that's swinging like the Tower of Pisa up there that is going to fall over. We've got some water breaks but they're not astronomical to any other city in the northeast. And is everyone running out going into this authority issue? No. Most cities are taking it out of their general operating revenues and I think we have to sit down and say to us, what is going to be the most cost effective to the city of Pittsburgh, not how fast we're going to get this whole system updated in say 5 or 10 years. It took 100 years to get this way, surely it's going to take a few more years to correct the situation. But I am not in a panic

situation and I want to be sure, financially and otherwise, that the taxpayers of the City of Pittsburgh get the best and fairest deal. If we wanted to do this, we have to resolutions before us today for referendum questions. Why didn't we put this on a referendum question? If the people want to pay for it, why don't we ask the people if they want to pay for it? If not, —

The Chair:

Mr. Givens, we're not talking referendum.

Mr. Givens:

You're not leaving me finish. That's why I'm arguing.

The Chair:

I can't let you finish because you're going astray of the issue. The issue is only whether or not we have a fiscal advisor. It has nothing to do with —

Mr. Givens:

The issue is to get experts in here. We're going to have one public hearing on Thursday. Bingo. That's it. I will not have any expertise to talk to other than my own staff, our Finance Chair, you. The Mayor is going to take myself and Bill Robinson at 3:30 to give us his viewpoint on it. That viewpoint should have been discussed at 9:00 this morning with every Councilperson sitting down there and we should have had that information last Thursday so we could have gotten and had some intelligent questions to ask the Mayor, food for thought so we could carry it on and when the public hearing came up we might be more atone to it. I don't like the way this thing is being handled.

Michelle Madoff:

On the fiscal advisor —

The Chair:

I'm going to bring it down by saying right after you're finished, that's it.

Michelle Madoff:

For the record. When the advisory board to cable came to give us a recommendation, they said we cannot do it because we need a fiscal advisor. With all due respect, Sophie Masloff. For the record.

The Chair:

Alright. I'm saying again. The Chair stands ready, willing and able to receive any names of anyone who can be a fiscal advisor so we can talk to them about what they can do in this instance.

With that, we'll move on to the matter of Reports of Committees.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 59

Report of the Committee on Finance for January 11, 1984 transmitting one ordinance and two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 13

An Ordinance entitled, "An Ordinance directing the Allegheny County Board of

Elections to place before the qualified voters of the City of Pittsburgh a referendum question as to whether or not the voters are in favor of amending the Home Rule Charter of the City of Pittsburgh to provide for an annual salary adjustment of City elected officials' salaries." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Woods moved to recommit Bill No. 13.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. Wagner:

Mr. President, may I make a comment on that? Last week we talked about the time restraints involved here. It was mentioned at the Committee Meeting that we are working under tight time constraints on both referendums —

The Chair:

I think you're accurate. We did mention there were some time constraints but because of the movement of the date I don't know that we're stuck with the same thing. It might be done with a petition, if I recall someone indicating to us. Am I accurate on that?

Mr. Woods:

Right. The Law Department is willing to file a petition in court. As long as we get it there 60 days prior to April 10th.

Mr. Wagner:

To continue, I think it was the belief of Council that both of these referendums had to be rushed through with the suspension of Rule 8, going back a week ago. There's been considerable constroversy over a couple of them and it's sad that we just didn't decide at that point in time that we had sufficient time to discuss both referendums and the detail necessary.

The reason why I'm bringing this up is, today I was going to move to amend Bill No. 13 pertaining to the salary increases. I just want to go on record as stating that I think this Council should have had the proper advice back a week ago pertaining to whether or not we had sufficient time to discuss both of these referendums.

The Chair:

In fairness, Mr. Wagner, what you cited is correct. There is a certain period of time. After we found that that was a problem it was then brought up, I don't know who was the author of the comment, that we could petition as long as we were within the 60 days. So, I don't know that there's different interpretation other than we're updated in view of the problems. We had two deadlines initially.

Mr. Givens:

Who is going to submit the petitions?

The Chair:

This is a motion to recommit.

Mr. Givens:

Okay, you recommit. If that does not get in within the normal 60 days, the Election Department cannot put it on the ballot for this coming April 10th election. Is that right?

Mr. Woods:

Mr. Givens, if I may, the City Law Department will petition the court to put it on the ballot.

Mr. Givens:

That's fine. They will petition. Will that petition come from this Council body in the form of an ordinance or will they just petition?

Mr. Woods:

Once we pass the legislation they're going to have to.

Michelle Madoff:

How much time do we have, Mr. Stone?

The Chair:

Wait, Michelle.

Mr. Givens:

Hold it. We debated this particular subject and everything else the other day. What is the purpose for recommitting? Are you going to change the ordinance, the wording of it? Or are you going to change a lot of money? What are you doing?

Mr. Woods:

One of our colleagues has an amendment up and he showed me and I presume he showed many of you prior to this meeting. We didn't have a chance to discuss it. I didn't have a chance to look over it. One of the other members is not here and I asked him if I recommitted could we bring it up this Wednesday. He graciously agreed so that we can discuss it more informally than at this meeting. I checked with the Law Department and as long as we get it in prior to 60 days —

Michelle Madoff:

What's the 60 days? What's the date?

Mr. Woods:

It has to be in February 10th.

The Chair:

Do you have your answer, Mr. Givens?

Mr. Givens:

I have no problem with that.

The Chair:

Are there any other comments?

Mr. Wagner:

Yes. The procedure of requesting the official opinion, have we obtained that official opinion from the City Solicitor on the time restraints involved here?

The Chair:

I've not been requested by you to do it.

Mr. Wagner:

Well, I am requesting that at this point in time.

The Chair:

Alright. Then we'll ask the Law Department for an official opinion on that. Okay?

Also,

Bill No. 14

A Resolution entitled, "Resolution authorizing the Mayor to issue a warrant countersigned by the City Controller in favor of the Commonwealth of Pennsylvania, Department of Labor and Industry in an amount not to exceed $250,000.00 to return excess funds drawn from JTPA grants."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 18

A Resolution entitled, "Resolution providing for an Agreement with Grigsby, Gaca & Davies, P.C. for professional legal services for the City Controller."

Which was read.

Michelle Madoff:

I asked what the money was to be used for. Remember, you asked that at the Finance Meeting, Mr. Stone? I asked you and you said you'd find out by today. What was that money to be used for?

Mr. Woods:

If I may, Mr. Chairman, he did answer it last Wednesday, Michelle. Instead of having a full-time Solicitor, now he's subcontracting one out.

Michelle Madoff:

Oh, excuse me, that's for the Controller's Office, Mr. Flaherty. Yes, I did get the answer. I apologize. No problem.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Grabowski presented

Bill No. 60

Report of the Committee on General Services for January 11, 1984 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 6

An Ordinance entitled, "An Ordinance directing the Allegheny County Board of Elections to place before the voters of the City of Pittsburgh a referendum as to whether the said voters are in favor of supplementing the Home Rule Charter by authorizing the City to establish a procedure to set aside certain classes of contracts for goods and non-professional services for minorities, women, Vietnam Veterans, and handicapped, by eliminating competitive bidding requirements for those contracts." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Woods moved to recommit Bill No. 6.

Mr. Robinson seconded the motion.

Which motion prevailed.

(MR. GIVENS OPPOSED)

MOTIONS AND RESOLUTIONS

The Chair presents

Bill No. 63 Resolution approving the re-appointment by Pittsburgh City Council of Dr. Martin Kraus of 818 Cedar Avenue, Pittsburgh, PA 15212, as a member of the City of Pittsburgh Personnel Appeals Board for a 4 year term to expire December 31, 1987.

Michelle Madoff:

Who is the sponsor of the resolution?

The Chair:

I am.

Michelle Madoff:

I second it.

Which motion prevailed.

Michelle Madoff:

Dr. Kraus came to my office and explained to me that if he finds out that there is no need for his services, he will resign. What he would like to do is have the opportunity — I've spoken to the Law Department to ask them how he can get in touch with the 300 people that have the right to come to his Appeals Board and avail themselves of the services.

He feels that that cannot be done and there's no need for his entity. If he doesn't have any hearings, he will abandon that board. He also asked me to find out whether that board would be paid if they just meet once a month, just to plan what they're going to do. The Mayor's response was, no, they would be paid.

Mr. Wagner:

Mr. President, I am certainly in favor of the appointment of Dr. Kraus, but isn't it the procedure of this Council to bring it to the attention of the Council members what individual is being considered?

The Chair:

This is a renewal of the appointment that was there before.

Michelle Madoff:

You can vote to hold it and vote on it.

Mr. Wagner:

No, I don't vote to hold it. I'm just wondering about the procedure of an appointment to that position, whether or not we should be privy to that information prior to a vote.

The Chair:

Well, the motion is being presented at this time, and this is the time that you decide whether you want to hold it, talk about, vote it up, or vote it down.

Just a couple a quick things, if I may, Mr. Robinson. As you're all aware, we have a public hearing on Thursday relative to the matter of the Water Authority that will be televised since it is a public hearing. Anything else for the good of this organization?

The Chair presents

Bill No. 64 RESOLUTION, WHEREAS, on Saturday, January 21, 1984, the Greater Pittsburgh pro-life community will observe its "Sanctity of Life" weekend, as part of its annual observance of "Respect Life Week"; and

WHEREAS, this occasion marks the annual beginning of a week when many citizens of Pittsburgh will join with tens of thousands of other Americans in Wasington, D.C. to publicly protest the 1973 Supreme Court decision, which authorized abortion on demand; and

WHEREAS, the central purpose of this observance is to proclaim that every person, including the unborn child, is entitled to the fundamental right of life, and should be accorded that right, with dignity and respect;

NOW, THEREFORE,

BE IT RESOLVED, that the Members of the City Council of Pittsburgh, hereby proclaims January 16, 1984 through January 23, 1984 as "Respect Life Week", and encourages the citizens of Pittsburgh, to become aware, to recognize, to respect; and to accord and preserve - this fundamental right to life - for all.

Mr. Woods moved the adopt the resolution.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. Robinson:

Thank you, Mr. President. I would like to report on my recent trip to the National Real Estate Development Center's National Strategy Conference for Issuers, Bond Counsel, Underwriters and Investors, which was conducted January 12 and 13, 1984 at the Capital Hilton Hotel, Washington, D.C.

The conference focussed on House Resolution 4170 now being considered by the United States Congress. This bill would affect the issuing of Industrial Development Bonds and Mortgage Revenue Bonds by cities such as Pittsburgh. Both types of bonds, if continued to be authorized, could be instrumental in assuring the continued development of urban areas in cities like Pittsburgh.

I will provide additional information on the trip upon request.

The Chair:

Just tell us that the fact that you met up there will not be changed, and that's all we need. Mr. Robinson's pointing out about the IDA loans is popularly known. There are some proposals which may change the tax advantage on those bills. If that happens, that would be slightly regretful here in this — not slightly but a major regret —

Mr. Robinson:

Right, I would just like to encourage members of Council who are concerned about the development of our City, particularly some of the depressed areas, to become familiar with 4170 and to do what they can to become informed and to contact our Congressmen, because if indeed the industrial revenue bond and the mortgage revenue bond are not allowed to operate basically as they are now, we may find ourselves without the proper incentives to get the kind of private development that we need in the City; and I would encourage everyone to become informed on this issue.

My position is that we must push to have 4170 as it's presently structured defeated. 4170 needs to be changed and amended, and I would suggest that we contact Congressman Walgren, Congressman Gaydos, Congressman Coyne and to express to our delegation our concern about this bill and become more informed on it.

The Chair:

Mr. Robinson, I think both of us ought to mention at this time that the granting of those funds is based on the projection of how many people will be hired, so it is really an unemployment bill, and it's a very important thing. I might suggest, Mr. Robinson, that you make that in a form of a motion and we'll send that to all of the Congressmen from this area.

Mr. Robinson:

So moved.

Michelle Madoff seconded the motion.

Which motion prevailed.

The Chair:

This Council supports that concept and would like to see it passed.

Michelle Madoff:

I want to congratulate you because you just threw me a curve ball that I'm very pleased about, and you said we're going to televise the Water Authority hearing because it's a hearing. Well, we have not been televising hearings, and I think that should be the way it should be done, and I think as President, you're setting a wonderful precedent.

Mr. Stone:

Well, in fairness, that comes out of the budget as well, and it's something that is of great importance to this community, and we ought to be —

Michelle Madoff:

I hope you'll continue that precedent.

Mr. Woods:

Well, Mr. President. I'm sorry, Michelle, I wasn't paying much attention. I think you should ask for a vote for that, because that's what we've done in the past, and you know, I've always voted against it, and I will do the

same.

Mr. Robinson:

Is that a motion?

Michelle Madoff:

My motion is to congratulate you and support having that hearing televised on the 19th.

Mr. Robinson seconded the motion.

Which motion prevailed.

Michelle Madoff:

Mr. President, one last item, please.

The Chair:

The Chair, as is said many times, when you get something good, you get something likewise in caution. This is on Thursday a public hearing. We are going to have some people coming here on a major issue. They have a right to be heard, and the Chair will listen to the people who come to testify, and I hope that anyone who has any questions will be short, brisk, get your questions out of the way. It's not time for us to be giving deliveries to them, but rather it's time to collect data from them.

The Chair would like to maintain that kind of stature when we have the public hearing on Thursday. It is data collection and information and recommendations from the people.

Michelle Madoff:

I understand and I'm a little bit surprised, while I paid you a compliment, I'm a little nonplussed on another action that has taken place. I don't know if it's correct and I give you the opportunity to respond. I was told that on the Armour — is there a hearing tomorrow on Armour, some meeting?

The Chair:

No.

Michelle Madoff:

I was told there was going to be a meeting on Armour and that there was a meeting and that nine copies were delivered to you, invitations that would be delivered to all members of Council. I never received one, and I didn't go to the meeting, because I felt that it was intentional that I was not invited. I had been involved in the Station Square negotiations. I got involved in the Equitable Gas —

The Chair:

Only Council people speak at this meeting. Gentlemen, please.

Audience:

How can you sit here and talk about — then you change your mind and then go into a secret meeting by yourselves. What happened to the thing, we were supposed to be there, two of our people from our negotiating team? You sat there like you were going to help us, but now you —

The Chair:

Sergeant at Arms. We will maintain this meeting with decorum. I'm willing to meet with you people after this meeting, but for you and everyone else, when a Council meeting is on, it is for Council members only to speak.

Mr. Ferlo:

How do we get through?

Michelle Madoff:

Gentlemen, I was speaking. May I continue, please?

The Chair:

I will meet with you after, and I'm sure after you hear the explanation, you'll be satisfied. If not, then we'll solve that problem pretty quick.

Michelle Madoff:

Mr. Stone, may I continue? Was it true that you received a call —

The Chair:

I was not invited. I did not give any deliveries or call any meetings, I came in on a meeting that had begun before I got there, and at that particular point we picked it up.

Michelle Madoff:

I read —

The Chair:

Let me say this much.

Michelle Madoff:

I read it in the papers, there was a meeting with four members of this Council. I thought they didn't want me there, I now find out I was invited, but I never got my invitation.

The Chair:

Now, let me say this much. For everyone's benefit, I would suggest that this matter not be discussed any further right now, and at that point I'm willing to meet with these gentlemen afterwards and we'll discuss it then.

Michelle Madoff:

I was not discussing the merits of the meeting or who's involved. All I wanted to know was that you got an invitation that you didn't give me.

Mr. Stone:

I did not receive a call to call people to a meeting.

Michelle Madoff:

That's what I wanted — I didn't get my invitation and I felt put out that these four people, members of Council, when we agreed to have harmony here and that we were all going to be involved and work together, I felt deliberately excluded, and I thought, oh, we're going back to the same thing again, which I don't want to have happen.

Mr. Ferlo:

Mr. Stone, you were given nine invitations to give —

The Chair:

Sergeant of Arms, I want him out of the room.

Mr. Ferlo:

Well, you're lying to the members of Council —

The Chair:

I want him out of the room. He's been around long enough to know how these things are handled. I want him out of the room. We are going to maintain in this room the decorum that should be done in the proper way.

Mr. Robinson:

Mr. President, if I might, an issue has come to my attention which I believe that several members of Council are aware of. Unfortunately, Mrs. Masloff was ill at the time this matter was brought to my attention or I would have discussed it thoroughly with her.

This concerns the traffic pattern in Highland Park. As Council is aware, there has been some discussion relative to the change in the traffic pattern, which, in effect, has restricted traffic in the park.

While I recognize there are a lot of related issues surrounding this matter, it seems that the probationary period that we have given for this traffic pattern is coming to a close. I believe it's March that we're supposed to re-evaluate the traffic pattern. Certainly Parks and Recreation is going to re-evaluate it.

I would hope that Mrs. Masloff and perhaps Mrs. Brown would attempt to find some sort of appropriate form into which persons who have concerns about that traffic pattern can place those concerns and have them handled in a fashion that respects all the parties who are involved.

It seems to me that the traffic flow is creating some other problems and may indeed relate to some other issues. If those issues can be resolved by other units of government, we ought to work towards that aim, because certainly there are a considerable number of people who are beginning to protest the traffic pattern.

I have in my possession a petition with at least 136 names of persons who have some serious reservations about that traffic pattern. Let me say that my interest is in trying to resolve the problems at the lowest level possible. I am not attempting in any way to exacerbate an already bad situation and one that probably could get worse, but I certainly will be more than happy to turn the information that I have over to Mrs. Masloff, but I would encourage Council to be aware of this issue, a little more aware so that we can attempt to resolve it departmentally and resolve it without creating any additional community tensions. Thank you.

Mr. Grabowski:

Mr. Stone, before we adjourn, I'd like to make a formal request relative to the meeting that a number of Council members are going to have tomorrow with members of ConAgra, and I would ask that you call the Chairman of the Board, or whatever appropriate officials out there in Nebraska —

The Chair:

Mr. Grabowski, may I suggest that we meet after this meeting and discuss that matter? I think it's in the best interest of the employees.

Mr. Grabowski:

Okay.

Mr. Robinson moved that Mr. O'Malley be excused for absence from this meeting.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. Woods moved to approve the minutes of Monday, December 19, 1983, Tuesday, December 27, 1983 and Saturday, December 31, 1983.

Mr. Givens seconded the motion.

Which motion prevailed.

And on the motion of Michelle Madoff

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, January 23, 1984 No. 4

Municipal Record

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, January 23, 1984

PRESENT:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

ABSENT:

Mr. Givens
Mr. Robinson

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Grabowski for Mr. Givens presented

No. 65 Resolution authorizing and directing the Administration to conduct an investigation and evaluation on the procedures used by Pittsburgh Psychological Services relative to the administering of the psychological portion of the examination for Police Officer. **—(SPONSORED BY MR. GIVENS)**

Also,

No. 66 Resolution authorizing and directing the Administration to request the Pennsylvania State Legislature to change the number of Civil Service Commission Members from the present three (3) members to five (5) members, and to amend Article 14 of the Civil Service Statute as to allow all names passed over in the selection of a class to remain eligible for subsequent classes. **—(SPONSORED BY MR. GIVENS)**

Also,

No. 67 Resolution authorizing and directing the Mayor and the Director of the Dept. of Personnel and Civil Service to write into the City's Civil Service Rules a method of appeal relative to the psychological testing of candidates for Police Officer, and to prohibit any candidates from being tested by the same psychological service on subsequent applications. **—(SPONSORED BY MR. GIVENS)**

Also,

No. 68 Resolution authorizing and directing the Mayor and the Director of the Dept. of Personnel and Civil Service to take the necessary steps to allow all candidates for Police Officer currently declared ineligible by psychological testing to be reinstated to the eligibility list and re-evaluated, and to allow the current eligibility list to remain for a period of three (3) years to allow those passed over a fair opportunity of being hired. —**(SPONSORED BY MR. GIVENS)**

Which were severally read and referred to the Committee on Finance.

Also,

No. 69 Resolution granting unto the Regional Industrial Development Corporation (also known as RIDC), their administrators and assigns, the privilege and license to construct, maintain and use, at their own cost and expense, an electrical transformer vault in a portion of Vance Way, in the 4th Ward of the City of Pittsburgh.

Also,

No. 70 Resolution granting unto Firstside Parking Facility, their administrators and assigns, the privilege and license to construct, maintain and use, at its own cost and expense, Duquesne Light vaults under a portion of the sidewalk of the Boulevard of the Allies, in the 1st Ward of the City of Pittsburgh.

Also,

No. 71 Resolution taking, appropriating and condemning, by the City of Pittsburgh, for public highway purposes, 15' foot of the property known as 22-M-119 situated in the 25 Ward, City of Pittsburgh

Which were severally read and referred to the Committee on Public Works.

Mrs. Masloff presented

No. 72 Resolution amending Res. No. 1144, eff. 12-28-83 entitled, "Providing for an Agreement or Agreements with various independent contractors and/or consultants to provide instruction and/or services in connection with the Pre-School, Community Education, Leisure Activities for the Handicapped, and other Recreational Programs as needed, in the Dept. of Parks and Recreation, and providing for the payment of the costs thereof," by increasing the amount from $18,000.00 to $21,000.00 chargeable to and payable from the Special Parks Program Trust Fund.

Which was read and referred to the Committee on Parks and Recreation.

Mrs. Masloff moved to suspend Rule 8 by providing consideration of a bill only until or after the 9th calendar day following the meeting in which the bill was introduced so it will be on the agenda this Wednesday.

Mr. Woods seconded the motion.

Which motion prevailed.

Also,

No. 73 Resolution authorizing the issuance of a warrant in favor of Alex and Joseph Kolas in the amount of $1,200.00 in payment for rental property at 5632-40 Second Avenue for 1983, chargeable to and payable from Code Account 1801, Misc. Services, Dept. of Parks and Recreation.

Also,

No. 74 Resolution transferring

$255,000.00 from the Dept. of Parks and Recreation's Code Account 1843, Senior Citizens Program to the Dept. of Parks and Recreation's Senior Citizens Program Trust Fund.

Which were read and referred to the Committee on Finance.

Also,

No. 75 Resolution providing for an Agreement or Agreements with Uptown Athletic Association for professional services during 1984, at a cost not to exceed $5,000.00 chargeable to and payable from Code Account 1838, Recreational Activities, Misc. Services, Dept. of Parks and Recreation.

Also,

No. 76 Resolution providing for an Agreement or Agreements with the Pittsburgh Ballet Theatre for the furnishing of performances to residents of Pittsburgh during 1984, at a cost not to exceed $25,000.00 chargeable to and payable from Code Account 1838, Recreation Activities, Misc. Services, Dept. of Parks and Recreation.

Also,

No. 77 Resolution providing for an Agreement or Agreements with Civic Light Opera for professional services during 1984, at a cost not to exceed $9,000.00 chargeable to and payable from Code Account 1838, Recreational Activities, Misc. Services, Dept. of Parks and Recreation.

Also,

No. 78 Resolution providing for an Agreement or Agreements with Champions Association, Inc. for professional services during 1984, at a cost not to exceed $5,000.00 chargeable to and payable from Code Account 1838, Recreational Activities, Misc. Services, Dept. of Parks and Recreation.

Also,

No. 79 Resolution providing for an Agreement or Agreements with Duquesne University for the furnishing of dance performances to the residents of Pittsburgh during 1984, at a cost not to exceed $15,000.00 chargeable to and payable from Code Account 1838, Recreational Activities, Misc. Services, Dept. of Parks and Recreation.

Also,

No. 80 Resolution providing for an Agreement or Agreements with the Three Rivers Arts Festival of Carnegie Institute for cultural entertainment during 1984, at a cost not to exceed $12,000.00 chargeable to and payable from Code Account 1838, Recreational Activities, Misc. Services, Dept. of Parks and Recreation.

Also,

No. 81 Resolution providing for an Agreement or Agreements with Robert Morris College for services of group named Pittsburgh Folk Festival during 1984, at a cost not to exceed $6,000.00 chargeable to and payable from Code Account 1838, Recreational Activities, Misc. Services, Dept. of Parks and Recreation.

Also,

No. 82 Resolution providing for an Agreement or Agreements with the Ozanam Cultural Center for the furnishing of professional services to the residents of the City of Pittsburgh during 1984, at a cost not to exceed $40,000.00 chargeable to and payable from Code Account 1838, Recreational Activities,

Misc. Services, Dept. of Parks and Recreation.

Also,

No. 83 Resolution providing for an Agreement or Agreements with the American Wind Symphony for the furnishing of professional services to the residents of the City of Pittsburgh during 1984, at a cost not to exceed $25,000.00 chargeable to and payable from Code Account 1838, Recreational Activities, Misc. Services, Dept. of Parks and Recreation.

Also,

No. 84 Resolution providing for an Agreement or Agreements with the Pittsburgh Opera for the furnishing of services for the benefit of the residents of the City of Pittsburgh during 1984, at a cost not to exceed $25,000.00 chargeable to and payable from Code Account 1838, Recreational Activities, Misc. Services, Dept. of Parks and Recreation.

Also,

No. 85 Resolution providing for an Agreement or Agreements with the River City Brass Band for the furnishing of services for the benefit of the residents of the City of Pittsburgh during 1984, at a cost not to exceed $3,000.00 chargeable to and payable from Code Account 1838, Recreational Activities, Misc. Services, Dept. of Parks and Recreation.

Also,

No. 86 Resolution providing for an Agreement or Agreements with the Brashear Association for the furnishing of services for the benefit of the residents of the City of Pittsburgh during 1984, at a cost not to exceed $10,000.00 chargeable to and payable from Code Account 1838, Recreational Activities, Misc. Services, Dept. of Parks and Recreation.

Also,

No. 87 Resolution providing for an Agreement or Agreements with the Arsenal Board of Trade for the furnishing of services for the benefit of the residents of the City of Pittsburgh during 1984, at a cost not to exceed $2,000.00 chargeable to and payable from Code Account 1838, Recreational Activities, Misc. Services, Dept. of Parks and Recreation.

Also,

No. 88 Resolution authorizing the City of Pittsburgh to enter into an Agreement or Agreements with the Pittsburgh Symphony to provide free concerts in Point State Park during the summer of 1984, at a cost not to exceed $123,750.00; $100,000.00 chargeable to and payable from Code Account 1833, Concerts, and $23,750.00 from Code Account 1837, City Wide Events, Dept. of Parks and Recreation.

Which were severally read and referred to the Committee Parks and Recreation.

Michelle Madoff:

I would like to make a comment on those last bills that were introduced for some information that we'll need by Wednesday. Do you want me to wait until we're through all the bills?

The Chair:

As long as you're not going to discuss the bill.

Michelle Madoff:

No, I just need some information to be available to us when the bills come up a week from Wednesday. May I comment on it now or do you want me to wait?

The Chair:

Go ahead.

Michelle Madoff:

The statement on all those bills as read was for the benefit of the residents of the City. Untrue. There will be many, many suburbanites coming in and I think this is one area where we ought to rope off the area and have identification by our own people. I want to know how that can be done, whether somebody would be here from Parks and Recreation. We've done it for tennis courts. I want to know how we could do that when we discuss the bills because we're talking about a lot of money and here's one way of showing the suburbanites what they really get from the City.

Mr. O'Malley presented

No. 89 Communication from Charles Lewis, Chief, Dept. of Fire, requesting authorization for Ralph Lang and Ralph Jedrzejewski to attend a workshop on Residential Sprinklers in Tampa, Florida, January 24-25, 1984, at a cost not to exceed $1,000.00 payable from Code Account No. 1463, Misc. Services and Repairs, Dept. of Fire.

Which was read and referred to the Committee on Public Safety.

Mr. O'Malley for Mr. Robinson presented

No. 90 An Ordinance amending the Pittsburgh Code, Title One - Administrative, Article IX - Boards, Commissions and Authorities, Chapter 174 - Vacant Property Review Committee, Section 174.02 - Composition, by deleting the Director of the Dept. of Lands and Buildings as a member of the Vacant Property Review Committee and adding the City Treasurer.

Also,

No. 91 Resolution amending Res. No. 596 of 1983, entitled, "Providing for an Agreement or Agreements with the URA for work in connection with the 1982-1983 Community Block Grant Program; and providing for the payment of the cost thereof," so as to increase the amount authorized from $1,200,000.00 to $1,325,000.00.

Also,

No. 92 Resolution amending Res. No. 328 of 1983, entitled, "Providing for the execution of a Cooperation Agreement or Agreements with URA for the performance of certain work in connection with the 1983 CDBGP, and providing for the payment of the cost thereof," so as to increase the amount authorized from $120,000.00 to $240,000.00.

Also,

No. 93 Resolution approving Contracts by and between URA and various Redevelopers for the sale of properties in the City of Pittsburgh in the 6th, 12th, 13th, 16th and 18th Wards, as per the Property Management and Maintenance Program (PMMP Sideyard Sale).

Also,

No. 94 Resolution approving a Contract by and between URA and

Highland Properties Company for the sale of Block 124-S, Lot 332 in the 12th Ward of the City of Pgh. for $100.00 — Property Management and Maintenance Program and Residential Land Reserve Fund (1012 Lincoln Avenue).

Also,

No. 95 Resolution approving execution of Contracts by and between URA and various Redevelopers for the sale of properties in the 5th, 18th and 12th Wards of the City of Pittsburgh (Urban Homesteading Rehabs).

Also,

No. 96 Resolution approving the sale of Block 174-P, Lot 46 (561 Panke Street) in the 13th Ward of the City of Pittsburgh by and between URA and John H. Owens and Inez B. Rogers for $100.00 — being in conformity with the terms and conditions of the Great House Sale Corporation Agreement.

Also,

No. 97 Resolution approving the sale of Parcel 71 (1847 Wylie) in the 3rd Ward of the City of Pittsburgh by and between URA and Nazareth Baptist Church for $300.00 — Redevelopment Area No. 31. (Parking)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 98 Resolution authorizing the issuance of a warrant in favor of Gulli Contracting Co. in the amount of $5,015.00 in payment for construction work at Friendship Park, chargeable to and payable from Friendship Park Trust Fund, Dept. of Parks and Recreation. Prior approval by Council Bill No. 4154, dated December 14, 1983.

Which was read and referred to the Committee on Finance.

Also,

No. 99 Resolution amending Res. No. 784, appr. July 30, 1982, eff. Aug. 12, 1982, entitled, "Providing for a Contract or Contracts for Sewer Reconstruction on S. Craig Street from Fifth Avenue to 100 ft. ± south of Forbes Avenue, including necessary work on private property and other work incidental thereto; and providing for the payment of the cost thereof," by increasing the project allocation from $210,000.00 to $260,000.00.

Also,

No. 100 Resolution amending Res. No. 1385, appr. 12-27-82, eff. 1-1-83, entitled, "Adopting and approving the 1983 Capital Budget and the 1983 CDBG Program; and approving the 1983 through 1988 Capital Improvement Program", by increasing line item LB 83-07 from $250,000.00 to $460,000.00 and by adjusting the summary totals.

Also,

No. 101 Resolution amending Res. No. 762, appr. 8-24-83, eff. 9-6-83, entitled, "Providing for a Contract or Contracts, including the use of exisiting Contracts, for construction in connection with renovation of Cell Block, Public Safety Building; and providing for the payment of the cost thereof," by increasing the project allocation from $175,000.00 to $385,000.00 payable from Code Account LB 83-07.

Also,

No. 102 Resolution further amending Res. No. 815, appr. 7-30-1982,

eff. 8-17-82, as amended by Res. No. 646, appr. 7-25-83, eff. 8-1-83, entitled, "Providing for a Contract or Contracts for the Reconstruction of the Stadium Street Retaining Wall, from Radcliffe Street to Stafford Street, including necessary work on private property and other work incidental thereto; and providing for the payment of the cost thereof," by increasing the authorized amount from $300,000.00 to $330,000.00.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Woods presented

No. 103 Communication from Daniel A. Pietragallo, Executive Director, Housing Authority of the City of Pittsburgh, submitting a report listing the name, position, and salary of each employee, and represents all full time permanent employees of the Housing Authority, as of December 31, 1983.

Also,

No. 104 Communication from Ronald C. Schmeiser, Director, Dept. of Finance, submitting a report of deposits and market value of collateral security pledged by City Depositories to secure same as of December 30, 1983.

Which were read and referred to the Committee on Finance.

UNFINISHED BUSINESS

The Chair presents

No. 105 Communication from Mayor Richard S. Caliguiri, informing Council of his re-appointment of Mr. William Shiner of 153 Hartwood Drive to the Board of Urban Redevelopment Authority.

Which was read, received and filed.

Also,

No. 106 Communication from Mayor Richard S. Caliguiri, informing Council of his appointment of Ms. Ann Ostergaard of 1000 Grandview Avenue to the Board of Urban Redevelopment Authority.

Which was read, received and filed.

The Chair:

They are reappointments and they do not receive the appointment of Council. They are direct appointments by the Mayor. This is for our notification.

REPORTS OF COMMITTEES

Mr. Woods:

Mr. President, can we move on all bills other than Bill No. 13? I know there will be an amendment to it.

The Chair:

The Chair will take that suggestion and handle all bills with the exception of Bill No. 13. We'll take that separately.

Mr. Woods presented

Bill No. 107

Report of the Committee on Finance for January 18, 1984 transmitting two ordinances and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 15

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article III, Depositories, Chapter 221, Contracts, Section 7, Lock Box System, by providing for the deposit of payments for Earned Income (PGH-40), Mercantile, Business Privilege and Institution Service Privilege Taxes in the existing lock box systems of authorized depository banks."

Which was read.

Also,

Bill No. 16

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Equibank, a commercial banking institution, for professional services in connection with the collection of Earned Income Tax Forms and direct deposit of Earned Income, Mercantile, Business Privilege, and Institution & Service Privilege tax payments; providing for the payment of the cost thereof; and providing for the bonding and confidentiality of the banking institution."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 17

A Resolution entitled, "Resolution providing for the issuance of warrants to Paul Braunstein and Jane E. Braunstein, his wife, in the amount of $5,654.13; Charles P. Ahnell, Jr., and Elizabeth W. Ahnell, his wife, in the amount of $10,565.80; James B. Cole and Shirley R. Cole, his wife, in the amount of $3,045.99; Anna Marie Fox Donahoe, in the amount of $776.73; Jane W. Finley, in the amount of $2,741.40; William D. Hibbert, a/k/a Bill Hibbert and Shirley Hibbert, in the amount of $799.57; Louis Marhoefer, in the amount of $6,282.36; Paul Murata, in the amount of $2,855.62; Snyder Brothers Moving, Inc., d/b/a George Transportation Company, in the amount of $5,000.00; Augustus B. Wadsworth and Grace Wadsworth, his wife, in the amount of $2,078.89; Westinghouse Electric Co., in the amount of $159.91; James E. M. White, in the amount of $3,445.78; Theda Finkel, in the amount of $989.95; Florence Williams and Lawrence Williams, her husband, in the amount of $8,711.55; Mellon Bank, N.A. Executor of the Estate of Eileen H. McLaughlin, in the amount of $407.40; Frances Young, in the amount of $1,484.92 in full settlement of claims for property damages, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 19

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at a tax sale in accordance with Act No. 514 of 1947 as amended."

Which was read.

Also,

Bill No. 20

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at a tax sale in accordance with Act No. 787 of 1937 as amended by Act No. 250, approved by July 29, 1941."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 13

An Ordinance entitled, "An Ordinance directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a referendum question as to whether or not the voters are in favor of amending the Home Rule Charter of the City of Pittsburgh to provide for an annual salary adjustment of City elected officials' salaries." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Wagner:

I move to recommit Bill No. 13 back to Committee so it will come up in Committee this Wednesday.

Michelle Madoff seconded the motion.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	

AYES 3	NOES 4

VOTING NO:

Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Mr. Wagner:

Mr. President, I now move to amend Bill No. 13. The amendment reads: "Shall Section 310(h) of the Pittsburgh Home Rule Charter be amended to read as follows:

To fix by resolution the salary of all elected City officials, the salaries of all City Councilmembers shall be decreased and they shall be paid at an annual salary rate of $30,500 from July 1, 1984.

From that time forward, no elected official shall receive a salary increase that exceeds the average percentage of increase in salaries and wages paid to all City employees as based on the previous years salary.

Further, the salary paid to elected City office holders shall not be diminished during their term in office."

The Chair:

If I'm reading you correctly, that's changed from the one you made on Wednesday.

Mr. Wagner:

Yes, Mr. President, it's a change from the figure, decreasing to $30,000 to a change of decreasing to $30,500.

Mr. O'Malley:

I question the technicality. I'm not sure changing the figure is actually a change in the legislation. I'd like to have a clarification from the Law Department on that.

Parliamentarian:

The City Clerk has talked to the Deputy Solicitor.

Mr. Perry:

The Deputy City Solicitor informed me that a change in the rate would constitute a new amendment. It's legal.

The Chair:

In view of that, do I have a second?

Michelle Madoff seconded the motion.

Mr. Wagner:

Mr. President, as I indicated, I don't want to talk on this very long. As a matter of fact, I would like to have my comments made in the Committee on January 18, 1984 brought forward for the

record here today.

(BEGINNING - MR. WAGNER'S REMARKS ON BILL NO. 13 - WEDNESDAY, 1/18/84)

Mr. Wagner:

I motion to amend this bill and I'd like to read the amendment -- to fix by resolution the salary of all City officials, the salary of all City Councilmembers, the salary of all City Councilmembers shall be decreased and they shall be paid an annual salary rate of $30,000.00 from July 1, 1984. From that time foward, no elected official shall receive a salary increase that exceeds the average percentage of increase in salaries and wages paid to all City employees, as based on the previous year's salary. Further, the salary paid to elected City officeholders shall not be diminished during their term in office.

In response to Mr. Givens, the change in the Charter was originally recommended by the Mayor with this referendum, and all I am suggesting is an amendment to that change. I'd like to give you some background information, all of you, because this affects every one of us. Why I feel this way, and I have distributed to each one of you, on Monday, some information that I will be referring to, and also information that was just handed out, I am convinced that the public will vote no on this referendum because they believe it is a matter of voting to give Council a raise by voting yes in the voting booth or not a raise by voting no. Please refer to a Pittsburgh Press editorial dated May 2, 1982, two weeks prior to the vote on this similar referendum approximately two years ago. "If you are a registered voter in Pittsburgh, regardless of which party you are affiliated with, or even if you have no party affiliation, you should go to the polls on May 18 to vote no on this question. Otherwise, Council's salaries are certain to escape all reasonable restraints and escalate beyond reasonable levels. These increases should be tied to the average boost granted to all City employees by Council itself. Of course, by one estimate, the Councilmatic salaries would top $55,000.00." That is what they said two years ago.

If the Pittsburgh Press was printing these types of articles, and other publications, two years ago, they are certainly going to do it again, with essentially the same referendum.

Now that referendum two years ago, I gave all of you a copy of the results of the referendum, was defeated by a margin of 29,696 to 9,231. And some interesting statistics, looking at that ward by ward, indicate that even in our most independent wards in this City, where people should understand what we are trying to accomplish, they voted it down -- in the 7th Ward, the 14th Ward -- by a margin of two to one. In the traditional Democratic wards of our City, such as the 9th Ward, it was voted down by a margin of six to one.

What I am saying is that this is going to happen again and we should be honest with ourselves. If we do not make an attempt to change the wording and to show the public that we are concerned about the economic conditions, we are going to be sitting in the same position two years from now that seven of you were sitting in three weeks ago. I, for one, was not there. I do not want to be there in two years.

There is a flaw in the Home Rule Charter. This is the only way to correct it. It must be corrected. Our goal here is to eliminate the antiquated system for increasing salaries of Councilmembers. I would like all of you to refer to a chart

that I put together indicating the projected annual increases, based on a $30,000.00 salary, if we go to that salary, if we approve this amendment and if the referendum is passed. What I have done is, I have put together annual increases ranging from one percent through five percent. I personally think, based on what you hear pertaining to the future economic conditions, the average increase for City employees is going to be somewhere in the area of four percent — I understand this year it was slightly more than that — which means that if Council, if this goes into effect, Council will lose, over a four-year period, beginning this year, approximately $1,306.00 by cutting back our salary right now to $30,000.00. Now that is based on the fact that the original referrendum will not be approved.

Now, if the original referendum is not going to be approved by the voting public, that means that Council will be sitting in the same position as I indicated two years from now as they were in three weeks ago, and they will only be able to vote increases to four members of Council. I, for one, can tell you right now two years from now if my salary is at $32,500.00, and this referendum is not improved, I am not voting for a salary increase, and I have heard that comment from the majority of Council.

So, essentially what I am saying is, in comparing the figures, by cutting back the salary to $30,000.00, or sitting with a salary, which five of us would be for four years, of $32,500.00, and based on the fact we know there are going to be some annual increases, and we are gambling to a degree here, we are gambling and we are hoping that the increases are not one percent or two percent, but I tend to believe they are going to be approximately four percent, and if that is the case, we will only lose, over a four-year period of time, $1,306.00.

Now, that is what we will lose. What will we gain? That is the real question here. What do we gain by cutting our salaries $2,500.00? Well, I sat through those public hearings and listened to all the members of the public that were here, and we all know how they feel, and they would love to see any elected officals — when I say "any" I mean at any level, from the local municipalities to the Congress of the United States — cut back their salary, and we, the City Councilmembers of the City of Pittsburgh, can take a first step that should have been taken long ago by many levels of elected officials.

The Congress of the United States raised their salary two years ago, and we know what happened — the media jumped all over them. The State Legislature and the State Senate raised their salary two months ago by $10,000.00 and we know the outcry that occurred.

We need to imporve the image of elected officials, of which all of us are. We can do that very easily. We can do that by amending this referendum, by giving the voters the opportunity to vote on this referendum and to have, as a first statement in the referendum that elected officials are going to decrease their pay.

Now, Roy Fox on his show last evening took a survey pertaining to whether or not the voting public would cut back — excuse me — would vote for this referendum or against the referendum. He took 200 calls. The results of the poll were 149-yes, 51-no. Several evenings before last night he took another poll based on the referendum that we were originally looking at. That poll failed two to one. That referendum lost two to one.

What I am asking all of you to do is to take a look in a realistic fashion and, not only that, to consider what our constituents would like us to do, and I firmly believe that this is a realistic approach to correcting a problem that has existed since this Charter was originated, and I would appreciate if all of you would consider it.

I would like to comment on Michelle's comments. You can't roll back a salary, you can't just pick out a figure and say cut $5,000.00.

If we are talking about different positions with differrent salaries, you must use a percentage and the percentage we are talking about here for Councilmembers is eight percent.

Now, the reason why I haven't used an eight percent figure is my referendum pertains only to Councilmembers. In addition, in reference to department heads, the Charter states nothing about department heads, and that is not the question here. The question here is elected officials. I have to agree with Mr. Woods, the only way we can address the situation of someone other than elected officials is during budget time, and I just do not want this thing to get blown out of proportion. I specifically am talking about Councilmembers.

If anyone wants to suggest something pertaining to other elected officials, so be it. But I just wanted to clarify these couple points. This proposed cut is eight percent.

I don't want this thing to be blown out of proportion, and it appears as if it is getting to that point.

Now, the department heads have nothing to do with this. We are talking about annual increases, if this referendum passes, whether it is the original referendum or my referendum — annual increases do not pertain to department heads — based on the average salaries of employees. Number one, the question is will Council take the lead themselves, and I don't think we should be here throwing arrows at others, I think the question is we have to look, we have to have some introspection towards ourselves as an elected group of people, and we can't pass the buck and say if someone else is not going to do it we're not going to do it.

The question is, will we take the lead and will we say to the people, to the public, to the people that elected us, that we will cut back, based on the economic conditions of today. If the Mayor chooses to do the same, so be it. If the Controller chooses to do the same, so be it. I, for one, am not concerned about them. I am only concerned about this elected group.

At this time, I don't choose to yield. I'd like to vote on what the amendment is as listed.

I voted no, and I would like to make a quick comment, which is, just to pick out a figure out of the air is not fair. It is not fair to all the elected officials you are talking about when there are different salaries.

I think I proposed a realistic amendment and it's a shame it was defeated.

I want to be on record as saying this referendum is going to fail. I stated my reasons earlier, and it's a shame we can't face the facts, and we have them before us, bcause we have been through this. This is the second time around and we are going to lose the second round.

I have offered a realistic

approach, innovative approach to change the salary system for this Council, for this elected group, to show the public that we are concerned about the economic conditions of today, and it's a shame that we can't get five votes out of this Council and I voted no.

(END - MR. WAGNER'S REMARKS ON BILL NO. 13 - WEDNESDAY, 1/18/84)

Mr. Wagner:

I'd like to emphasize a couple important points that I mentioned at that Committee Meeting and a couple new points.

Number one, I'm still convinced and the public has convinced me that the vote on the present referendum will fail in the April primary simply because a vote of yes indicates that elected officials will be receiving a salary increase. A vote of no is an indication that they will not receive a salary increase. The economic times are such that the people will vote no at a much greater margin than they will vote yes. This has been proven in a couple of recent surveys; I indicated one the past week on KDKA radio where it lost at a margin of 2-1. There was one on KQV radio Friday on the existing referendum where it lost by a vote margin of 112-no to 51-yes.

I think that my amendment to the referendum is the only way to correct the flaw in the Home Rule Charter. We have to show the public that we are concerned about the economic conditions. I have also provided each of my colleagues with a chart indicating the difference of salary based on the fact that if we take a $2,000 cut in pay in comparison to our salary being frozen for a four year period of time at $2,500, if the existing referendum fails. As all of you can see in terms of simple mathematics, over a four year period of time, if we are willing to take the chance to gamble, to throw the dice, to take a cut in pay, we will get that cut in pay back over a four year period of time with annual increases based on an average increase of approximately four percent per year.

I think the public will understand what we're trying to accomplish here, especially because we're willing to take a cut in pay along with the annual increases that we're trving to obtain. I indicated last Wednesday, I do not want to be in the position that all of you were in four weeks ago at any point in time in the future. For that reason, I think it's very, very important that all of us give high priority to voting on behalf of this amendment for the referendum. Thank you.

Michelle Madoff:

Mr. President, I think it's really unfortunate that we don't check with each other about when people are going to be away. We just don't know. I mean, everybody has the right to do what they have to do or want to do. I've been trying to take some time off since the election and frankly, I haven't taken it off at this point because of the Water Authority. I feel that I have a strong commitment to that. I believe, based on past performance or history, the two people that are absent today, well one person anyway, would have voted with Mr. Wagner, I don't recall Mr. Givens' vote, but I know Mr. Robinson would have voted with him.

I'm in this terrible position of whatever I do, I'm damned. If I vote for it and it doesn't pass because people aren't here, they'll say, "See, she voted for it because she knew it wasn't going to pass." So, I would like to just set the record straight, if I might, by asking my

colleague, Councilman Wagner, did I or did I not tell you last week that I would vote for this bill —

The Chair:

Michelle, we're talking about the amendment now.

Michelle Madoff:

That's what I'm talking about.

Did I or did I not say that I would vote for the amendment? I told you I would, did I not?

Mr. Wagner:

Yes.

Michelle Madoff:

Okay. I just wanted to be clear for the media so it doesn't get distorted that I had no knowledge the other two members would not be here. I just wanted to clarify that.

The Chair:

Call the role on the amendment only.

The Chair:

Is there any further discussion on the amendment?

And on the question, "Shall the amendment pass finally?"

The aves and noes were taken agreeably to law, and were:

Aves:

Mr. Grabowski Mr. Wagner
Michelle Madoff

AYES 3 NOES 4

VOTING NO:

Mrs. Masloff Mr. Woods
Mr. O'Malley Mr. Stone
(Pres't)

And a majority of the votes of Council not being in the affirmative, the amendment was defeated.

The Chair:

On the original bill.

Michelle Madoff:

Mr. Stone, would you clarify the original bill. Is that the Mayor's bill?

The Chair:

The original bill is the proposal as received from the Mayor which enables Council to give an increase no greater than that received by the employees and it does not say they automatically get it. It says it's an enabling bill giving the authority to do it. It would still need a resolution from Council subsequent if it's passed to approve it.

Mr. Woods:

Mr. President, if I may, I'd like to add in there that it's all City elected officials, not just Council.

The Chair:

Okay.

Michelle Madoff:

That was your amendment the other day, was it not, Mr. Woods? That's what I wanted to know.

The Chair:

Take the roll.

Mr. Grabowski:

Mr. President, before I vote I'd like to make a statement, if I'm in order.

The Chair:

You may.

Mr. Grabowski:

When I came through the door I had originally thought that if Mr. Wagner's amendment was not adopted that I would be voting against this resolution because I felt that it would fail at the election on April 10th. But as I look back to the primary election of May 18, 1983, no one gave me much chance of being elected and I sit here today. So, perhaps the unexpected will happen come April 10, 1984, and this referendum will be passed by the voters. I vote aye.

Mr. Wagner:

I vote aye and I'd like to make a comment. First of all, I'd like to thank those of my colleagues that are present and not present that voted on my two amendments. I also wish my amendment would have been passed. It's very obvious that this referendum as it sits now and being voted on now will pass. For that reason I am going to vote aye and I also will attempt to get this thing passed and do whatever PR work should be done as all of my colleagues will in April and I, for one, hope that I do not have to come back and offer another referendum after the April election; however, I doubt it.

The Chair:

I vote aye and I would like my remarks from last Wednesday's meeting brought forward.

(BEGINNING - MR. STONE'S REMARKS ON BILL NO. 13 - WEDNESDAY, 1/18/84)

Mr. Stone:

I voted no and if I may just make this comment. We have been talking about Council's credibility, and I think we ought to be looking at ourselves and wondering about the credibility and why the public has some question of that.

This Council went to $2,500.00, talked $30,000.00, talked $40,000.00, and we had a lot of discussion that the position is such that it deserves that kind of salary, and we had pretty much chastised the public because they didn't expect the cost of living kind of increase on referendum that was there. No one at the time was thinking that perhaps we were at fault in not communicating that in the proper fashion so that the public might intelligently make a decision and be aware of the conflict that does exist in the Home Rule Charter. Here we are now talking about cuts, and it seems in obvious derrogation and conflict to what we have been talking about the last two weeks. Certainly the economic conditions didn't change in the last two weeks that would make us make such masterful, innovative, new ideas at this late stage of the game.

I think these kind of resolutions now do nothing to help the credibility. The proposal as given by the Mayor I think helps the credibility of Council. It straight out tells them there is a conflict in the Charter and if you, as the voters, want to make that change, if there is a cost-of-living need, you are asking them

to enable Council to do that, not to give it but enable them to do it. If that be the case, it has conditions that say it can't be any higher than any other increase to the employees. It has the kind of safeguards which the public is entitled to know, and the public is entitled to have the ability to vote on it, and I am sure they are intelligent enough that if that is what they think should be done, they will vote for it, and if not, they won't.

(END - MR. STONE'S REMARKS ON BILL NO. 13 - WEDNESDAY, 1/18/84)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

The Chair:

I will entertain a motion to the effect that upon the signing of that bill by the Mayor that will be the effective date of passage.

Michelle Madoff:

So moved.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

Bill No. 38

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Independent Enterprises Inc., Box 221, Bridgeville, PA 15017, in the amount of $21,760.00 in payment for extra work furnished for the benefit of the City in connection with Relay of Water Lines in South Pacific Avenue and providing for the payment thereof."

Which was read.

Also,

Bill No. 39

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Independent Enterprises Inc., Box 221, Bridgeville, PA 15017 in the amount of $53,218.25, in payment for extra work incurred during Water Line Relays in Smallman Street, Mulberry Way, Eleventh, Twelfth and Thirteenth Streets, furnished for the benefit of the City in connection with City Controller's Contract No. 26468 and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Mr. O'Malley for Mr. Robinson presented

Bill No. 108

Report of the Committee on Planning, Housing and Development for January 18, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 9

A Resolution entitled, "Resolution providing for the Issuance of a Certificate of Appropriateness for work to be done on the exterior of the residential structures at 1011 N. Franklin Street (Block and Lot 22-L-176) and 1212 Rush Street (Block and Lot 22-L-281) in the Manchester Historic District in the 21st Ward."

Which was read.

Also,

Bill No. 10

A Resolution entitled, "Resolution providing for Agreement or Agreements with the South Side Local Development Corporation for commercial revitalization services in connection with the South Side Carson Street neighborhood commercial improvement program and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. Stone, I wonder if you would enlighten this Council on a couple of matters. I've been so busy with this water business; I've been up since 8:00 calling all over the country and I have not really been apprised of what is happening with the paramedics. I understand from calls that we're getting that supervisors are being trained to take over their jobs. They have done such an outstanding job. As you know, this Council, and I was in the forefront of that movement, was charging the non-

City residents for paramedic service and third party payees and now Mr. Matter is saying we're losing our $10,000 a day that we're not getting from these entities that came from this Council, things we don't get credit for.

I'm just curious; perhaps somebody here can enlighten me. What is happening? Is this really true that the supervisors are taking over? Are we going to pay the paramedics what the police and firemen are getting? Where are we on it, does anybody know? I don't know.

The Chair:

I don't consider myself an expert on it because no one has briefed me personally on it. I would suggest that you request a report from the Mayor's Office. That might be the easiest way. I don't know any more than what's been in the newspaper. The only thing that I think is happening is that the Administration has tried this year to keep that salary increase somewhere between four and five percent and apparently that's not in the making in this particular bargaining unit. That seems to be where the differences of opinion are.

Michelle Madoff:

Mr. Stone, would it be out of order for this Council to respectfully request from the Mayor that on matters such as this that our President be briefed immediately and kept apprised of all activities so that you can keep us apprised to what's going on? I really resent reading in the paper what's going on before I hear it here in Council. Would that be in order? Can I make that in the form of a motion?

The Chair:

I don't think a motion is necessary. We'll try to get some information but I think that kind of information, frankly, belongs to the person who is the administrator. Frankly, that's the Mayor and in some of the previous collective bargaining agreements, those units had indicated the exclusive bargaining agent was the Mayor. If you'll look back in the minutes of City Council you'll note that this City Council had received and filed on collective bargaining agreements which means they didn't agree with it, they just filed it. One of the reasons was that we objected to being excluded from collective bargaining but that's now a part of their collective bargaining agreements and they have acknowledged that the Mayor is the sole collective bargaining unit for the City.

Michelle Madoff:

Does that mean that this Council, when we finally come to vote on it, there will obviously be a negotiated contract. If there isn't one, then what happens?

The Chair:

They'll then go to arbitration of some form.

Michelle Madoff:

It is not in arbitration as yet? I thought it was in arbitration.

The Chair:

Well, they're headed in that direction as I see it.

Mr. Woods:

No, Mr. Chairman. The paramedics are not covered under

arbitration.

The Chair:

But there's a form of mediation or arbitration they'll be eventually headed toward. That's what they're trying to do.

Michelle Madoff:

According to Mr. Woods, they're not. Is that so, Mr. Woods?

The Chair:

He's saying under the present deal they don't have —

Mr. Woods:

Under the present bargaining agreement they don't have it.

Michelle Madoff:

Couldn't this Council have some input, Mr. Stone? Is there a mechanism where we could?

The Chair:

I think that there's an agreement that they have between them and they're going to have to abide by what's in that agreement. That's their ground rules now.

Michelle Madoff:

Okay. The second item that I think we need clarification is that we're having a meeting tomorrow at 10:00 on the request made by myself and others to be briefed on some of the unanswered questions after the hearing and you said that you promised to have it immediately after the Water Authority hearing. Is that correct?

The Chair:

Council asked for, and I've made available, the opportunity to carry out what they've requested.

Michelle Madoff:

We just talked very briefly coming in here; I'm a little bit confused. I did sit down with Mr. Schmeiser and some people —

The Chair:

If you have any confusions, we can discuss it the same way we did before. I don't want to get into a situation where something was said or not said and now in public it may change from what we discussed.

Michelle Madoff:

That's exactly what I was getting to. Is this going to be a public meeting?

The Chair:

It's an informal meeting that was asked for by Council.

Michelle Madoff:

Will it be open to the media?

The Chair:

At this point, it's an informal meeting at the request of Council and they asked to meet with the administrative team and that's presently lined up.

Michelle Madoff:

So it's not open to the media; it's just an informal meeting. There will be no vote taken, therefore, the media is going to be excluded.

The Chair:

No votes will be taken at all. Council asked for an informal meeting and I have set up exactly what Council asked for.

Michelle Madoff:

You're defining an informal meeting as a private meeting as opposed to being a public meeting.

I have no quarrel with that, I'm just asking for definition. I personally see no reason why we can't ask our questions in the presence of the media. I would have no problem with that personally and I think I was the one who requested the meeting, so I just want to be on record.

The Chair:

On the contrary. It was Mr. Wagner, in a discussion with Mr. Woods, who asked for the informal meeting.

Michelle Madoff:

I asked for it in session.

Mr. Wagner:

Mr. President, pertaining to the meeting tomorrow. Will all appropriate representatives from the various departments be present? Number one, I mean knowledgeable about the sewer system in the City, the water line system, the financing? The same people that were here last week at the public hearing?

The Chair:

That whole team we had, it's my understanding, so you can ask some additional questions subsequent to the public hearing which we had.

Mr. Wagner:

Is it possible to have available to us a map of the water distribution system in the City and also the sewer system in the City?

The Chair:

Mike, make that request.

Mr. Wagner:

Thank you.

Mr. Grabowski:

Mr. Stone, do you have any idea when the legislation will be voted on pertaining to the Water Authority?

The Chair:

No, I do not. It's coming up for a first discussion on Wednesday, whatever we decide to do.

Mr. Grabowski:

The reason I asked, I'm not sure what action we can take at Wednesday's meeting. I suppose we could vote on it, either up or down.

The Chair:

Whatever action Council wants to take, they would have to take that action on Wednesday. That's the first formal time in the procedure that it comes up for any discussion and resolvement.

Mr. Grabowski:

The reason I asked is, over the weekend, a number of people had watched the public hearing on cable. Many good points were brought out and some of the people that spoke to me indicated that they were sorry that they

didn't have an opportunity to participate because they had some ideas that they would have like to have enlightened Councilmembers on.

I am wondering if it's possible that we have the second hearing in light of the magnitude of this legislation to be held in Council Chambers in the evening so that some of the people that were not able to participate would have such an opportunity. I don't, in any way, want to delay the legislation from coming up for a final vote but if, in fact, a second hearing is to take place, I think that that should be in the works.

The Chair:

Whatever you choose to do on Wednesday is what we will do.

Mr. Grabowski:

Is it possible to make that motion at Wednesday's meeting?

The Chair:

Yes.

Mr. Grabowski:

Okay.

Mr. O'Malley:

If I might add to Mr. Grabowski's motion, I think if indeed there are a number of people who would like to have an input into the hearing, that should be indicated to this Council either through a petition or a number of phone calls. There might be one or two people or there might be thirty or forty. There has to be some gauge or barometer by which we can gauge that or maybe a petition with 25 names on it.

The Chair:

Whatever is the wish at that time.

Mr. Woods moved to excuse Mr. Givens and Mr. Robinson for absence from the meeting.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. Woods moved to approve the minutes from Tuesday, January 3, 1984.

Mrs. Masloff seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Woods**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, January 30, 1984 No. 5

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, January 30, 1984

PRESENT:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Givens:

Mr. President, if I might have T.J. McGarvey from the Vietnam Veterans Monument Committee, Shamus Maloney from the Vietnam Veterans Leadership Program, and Duke Embry, President of VVI, Inc. come to the podium.

Mr. Givens and Mr. Wagner present

Bill No. 132 WHEREAS, during the past year, Vietnam Veterans in the Pittsburgh area have come together in pride and patriotism to commemorate the efforts of those who bravely served our country in Southeast Asia during the longest war in our nation's history; and

WHEREAS, the Pittsburgh-Allegheny County Vietnam Veterans Monument Committee has worked diligently to select a suitable site for a lasting memorial dedicated to those who fought, died, were wounded in battle, or missing in action; and

WHEREAS, the City administration has joined in this important project by lending its staff and expertise to the Monument Committee to insure the designation of an appropriate location for the monument; and

WHEREAS, all parties have agreed to erect the Vietnam Veterans Monument on the raised observation platform downstream of the Ft. Duquesne Bridge in Roberto Clemente Park.

NOW, THEREFORE,

BE IT RESOLVED, that the Members of the City Council, on behalf of the citizens of Pittsburgh, pledge their full support and cooperation for the

expeditious completion of this project and congratulate the Pittsburgh-Allegheny County Vietnam Veterans Monument Committee for its leadership in the recognition, planning, and organization of this long overdue honor.

Mr. Givens moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Givens:

I'd just like to have Jack Wagner who is a Vietnam Veteran say a few words and also those three gentlemen that I called up and some others who would like to say a few words. Thank you.

Mr. Wagner:

On behalf of all Vietnam Veterans, I'm very proud to be part of this resolution. I'm very proud that Mr. Givens has taken the initiative to initiate a memorial for Vietnam Veterans, mainly because we know what these people here represent and just as past veterans of our country have represented the country well, they do also. I congratulate them.

Mr. McGarvey:

My name is T.J. McGarvey; I'm here to represent the Pittsburgh-Allegheny County Vietnam Veterans Monument Committee.

My mind right now is flooded with a thousand thoughts and how to communicate them, I'm not certain.

When I was fortunate enough to return from Vietnam and I landed in San Francisco, I got down and I kissed the ground. I was proud to have served but it carries with it a lot of sorrow.

We're here today, as Councilman Givens mentioned, to commemorate the service. I would like to make a few comments regarding that but before I do that I would like to thank, first of all, our Committee which is comprised of virtually every walk of life, it's comprised of citizens of Western Pennsylvania. I especially would like to thank Mayor Caliguiri for his strong support and to quote Mayor Caliguiri, "I'm not your ally, I'm your strong ally." I would like to thank the Chairman of the Board of Commissioners, Tom Foerster, for his full cooperation; certainly, members of City Council who have directly and indirectly, over the last year or so, given us strong suppport.

Relative to what we're initiating today, I have to share a few comments with you. Today is the day for proud men. Today is the day to fulfill promises. Today is the day to remember the past and today is the day to look to the future. We gather here today to begin the final process, not to make political statements, not to offer explanations, not to debate realities. Monuments are erected so the future might remember the past. Warriors die and live and die. We'll let the historians remember the political questions. Those who served, served. Those who have all, live in our hearts. Those who are left, continue to give. Let no one dare to challenge our purpose here today. As long as we remember, there's some love left.

Thank you.

Mr. Maloney:

My name is Shamus Maloney and I'm the Program Director of the Vietnam Veterans Leadership Program here in Western Pennsylvania.

Approximately fifteen years ago, the best friend I ever had I lost in Vietnam. He was buried fifteen years ago but his memory is continued on in my heart. About a year an a half ago in Washington, D.C., through the efforts of a lot of Vietnam Veterans and a lot of concerned citizens, a fitting memorial was dedicated. A lot of people from Vietnam were brought home with that memorial. So too, in Western Pennsylvania, in Pittsburgh and Allegheny County, it is time for us to honor all the Vietnam Veterans who sacrificed for their country. When we were called, we served. We didn't debate politics, we went to serve our country. I think that it is extremely important at this point that we pursue bringing these men home finally with the proper tribtue. This can be accomplished through the monument for Pittsburgh and Allegheny County.

I thank everyone for all their cooperation in this. Thank you.

Mr. Embry:

I'm Duke Embry, President of the Vietnam Veterans Inc. of Allegheny County and I'd just like to say thank you.

Mr. McCale:

My name is Jim McCale. I was just doing some counting here now and I was released, you might say, from the service on February 12, 1966. That's about eighteen years to the date. I thank you.

Mr. Givens:

I'd just like to indicate, Mr. President, that if you would like to join us and any other member of Council, so we can give some of the plaques out to the various veterans organizations.

This is only the beginning. Otherwise, this is just a resolution of intent that will go across to Mayor Caliguiri, down to our Legal Department, to draft up the necessary legislation to come back up for this Council to approve to dedicate this site. That's only the beginning. Then it's fund-raising from there and the actual site itself. It's going to take everybody in this room to do it. There is not a memorial to these Vietnam Veterans any place that I know of within the Allegheny County area. Allegheny County, ladies and gentlemen, is the largest veteran county within the nation at this particular time; there's some 58,000, I believe, some 225,000 veterans of all the wars right here in Allegheny County. So, we need this memorial very badly.

Thank you.

Michelle Madoff:

Mr. Givens, may I ask you a question? Where is the monument going to be placed?

The Chair:

Downstream from Three Rivers Stadium.

Michelle Madoff:

Will it be in a prominent place so that people can see it?

Mr. Givens:

Yes.

Michelle Madoff:

I'm concerned about that. It won't be hidden somewhere.

Mr. Givens:

Do you know where the boat dock is, where John Connelly pulls his boat in? There's little outcropping, a little park right there, like a balconv type of thing. That's where it's going to be located. You can see it from the River, you'll be able to see it from the road. It has a park-like environment.

Mrs. Masloff:

Isn't the pier that sets out?

Mr. Givens:

It's a little pier that sticks out. Yes. It has trees on it. It's a very lovely site and you'll be able to see it from —

Michelle Madoff:

Will it be a plaque or will it be a monument?

Mr. Givens:

No, it will be a monument, a fairly good sized monument.

Michelle Madoff:

And the monies for it would come from contributions from City, County, and wherever we could get some money?

Mr. Givens:

That's right.

The Chair:

Thank you all.

Mr. Wagner:

Mr. President, I'd like to ask Mr. Kenneth Dixon to join me at the podium and also Councilwoman Sophie Masloff.

Mr. Wagner and Mrs. Masloff present

Bill No. 133 WHEREAS, F. Kenneth Dixon submitted his resignation as Director of Allegheny County Department of Elections, effective January 31, 1984; and

WHEREAS, Mr. Dixon has been an employee of Allegheny County for 37 years, since 1947; was appointed Assistant Director of the Elections Department in 1970, and rose to the Directorship in 1976; and

WHEREAS, as Director of Elections, Mr. Dixon has earned a statewide reputation as an expert on election rules and practices, being contacted for advice by other county election officers and by the State Elections Department; and

WHEREAS, Mr. Dixon is known as being helpful in exchanging ideas and seeking solutions, and as being easily accessible - offering voting instructions, turnout forecasts, and analysis; and

WHEREAS, Mr. Dixon's concientiousness and devotion as Director of Elections will be greatly missed, though the spirit of his work will remain for many years to come.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City Council, hereby express sincere commendation and gratitude to F. Kenneth Dixon for his 37 years of distinguished service with Allegheny County, including his 8 years as Director of the Department of Elections, where he displayed sincere dedication and devotion, and this Council wishes Mr. Dixon a rich and happy retirement.

Mr. Wagner moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Wagner:

I would like Councilwoman Sophie Masloff to say a few words, please.

Mrs. Masloff:

Jack, you've said practically everything in the resolution. I've known Kenny since he first came to work for the County and his family. I don't think we'll every be able to replace him. There will never be another person in the Elections Department like Kenny Dixon and I, for one, will miss him.

Michelle Madoff:

I'm going to refer to my good friend, Ken, as Ken and he certainly knows me as Michelle. I've gone through seven elections, didn't win them all, and he was a man of dedication, integrity, honor and commitment. I'm buying lunch; you don't have to pay. I really feel very sorry that you are leaving us because I don't think you're replaceable. You know, they say that nobody is irreplaceable but sometimes I wonder. I cannot thank you enough for how you've treated me personally when I haven't always been treated that way everywhere else. I have a special place in my heart for you.

Mr. Givens:

Ken, I've gone through three City elections. I think I'm now going on the fourth State Committee Election and two National Delegate Elections, encompassing the 38th Senatorial District of the State, the 14th Congressional District, the City of Pittsburgh. In every case, Ken, when I went up there and had to file those disclosure reports or any information I needed on those Democrats who were registered in that particular area, you and your staff have to be commended because, in short order, you've come out and I think served the City as well as the County in everything that's happened. Not once in your whole career was there ever one mention about a very close race and any undoings on the part of the Election Department of Allegheny County. There's two of us who are sitting in this room, after some 20,000 votes, there was only 100 votes that separated us. Ken Dixon went in and re-audited that whole report and there's no doubt about it. I mean, we have the elected officials and I think the people of Allegheny County had total faith in what you had done and served this County for. I thank you personally.

The Chair:

If the Chair may, for a moment, Ken, before we give you the opportunity to speak yourself. In this era when unanimity seems to be a bit of a problem, I'm sure, however, that there would be unanimity not only among the Democrats but among the Democrats and Republicans and any other party affiliation that has every existed in the County while you were there at the Election Bureau. They would be echoing one thought, that they were treated with dignity, with pride, and with the kind of respect that should be accorded any citizen or any candidate.

Likewise, you have shown the kind of dedication and devotion that has done honor to this County and if I may, for a moment, perhaps the best way, and you'll pardon me for doing it this way, but I think if the Italians had anything to say about it, since you're about to retire,

they would say "Jin dn". The Germans would sav "Hundre yarde". And the Polish would say "Stolat". Other variations of Russians, Serbian, Croation, would all say "Mnog aga ljeta". It all boils down to, "May God grant you many years", and that's what we wish for you.

Mr. Dixon:

Mr. President, Members of Council and ladies and gentlemen, I thank you very much for this. I don't intend to disagree with a word that's been said. But I will certainly cherish it and honor it. It's one of the highest honors I've every received and I also owe the City of Pittsburgh a lot of gratitude for the success we've had in finding polling places, and the cooperation we've had from the Mayor and the City Police and all concerned. I thank you very much.

The Chair presents

Bill No. 134 WHEREAS, the City of Pittsburgh has always been a national leader in Engineering whether it be research or in actual practice with the engineering community supporting the many building projects, subways, buswavs, bridges and other construction projects underway in our City; and

WHEREAS, the City of Pittsburgh wishes to recognize the over seventeen thousand engineers and scientists represented by over forty techical societies such as the National Society of Professional Engineers which sponsors "Engineers' Week"; and

WHEREAS, the City of Pittsburgh recognizes the achievements of the many notable engineers such as George S. Richardson, Past President of Richardson, Gordon and Associates, designers for many of our roads and bridges in Allegheny County and winner of the Pittsburgh Chapter's PSPE 1983 President's Gold Star Award; and

WHEREAS, the City of Pittburgh recognizes the winner of the Pittsburgh Chapter's PSPE 1983 Professional Engineers' Distinguished Service Award to be David F. Figgins, President of Mellon-Stuart Company, contractors for many projects in the Pittsburgh area; and

WHEREAS, the theme of National Engineers' Week, "ENGINEERS: PARTNERS IN PROGRESS" which is quite an appropriate theme considering the teamwork required to transform Pittsburgh into the Renaissance City that it has become.

NOW, THEREFORE,

BE IT RESOLVED, that the Members of the City Council of Pittsburgh does hereby proclaim the week of February 19, 1984 through February 25, 1984 as "Engineers' Week" throughout the City of Pittsburgh, and express our appreciation for the achievements of those engineers who have done so much in bettering their communities; and in contributing so extensively to the vitality and progress of the City of Pittsburgh.

Mr. Woods moved to adopt the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

Michelle Madoff:

I want to talk about this. I don't know whether members of Council are aware, but in 1972 a study was done which indicated that outside of Washington, D.C. which has the highest number of "consultants" in general, Allegheny County has the largest number

of engineering consultants, probably in the United States and Canada. It is one of our greatest resources and one of the areas that will be vital in generating jobs in this community. We could become the energy, the environmental capital of the world, and to that end, I would like to see this Council moving and working with engineers. My aide, Carmen Gunther, and I will be meeting shortly and we would like to perhaps involve some of the engineering people with a number of the prime legislators, Mr. Coyne, Walgren, Gaydos, etc. etc. In Washington, there will be a number of Harrisburg Legislators joining us to talk about a program which will encompass engineers and some funding, hopefully, that the Federal Government would grant so that this area could be the environmental capital of the world and we could generate some jobs here.

The Chair:

Thank you.

Before proceeding with Presentations of Papers, I would like to welcome back Mr. Al Neri who has been away for about a month. I don't know if he's been missed or not, but I would like to say that I think all of us have missed you, Al. We welcome you back.

Mr. Givens:

I just want to say, Al, I don't know if they give you reporters' combat pay or not.

Mr. Neri:

Thank you.

Mr. Givens presented

No. 109 Resolution vacating Moravian Way from Avery Street to Lockhart Street in the 23rd Ward of the City of Pittsburgh, excepting and reserving an easement of the 15 inch sewer line located therein, in the 23rd Ward of the City of Pittsburgh.

Also,

No. 110 Resolution vacating Moranian Way from Avery Street to Virgin Way in the 23rd Ward of the City of Pittsburgh, excepting and reserving an easement for the 15 inch sewer line located therein.

Also,

No. 111 Resolution granting unto Nicholas Sorozak, his successors and assigns, a fifteen (15) foot sanitary sewer easement to maintain and use at his own cost and expense, in the 20th Ward, City of Pittsburgh.

Also,

No. 112 Communication from Louis R. Gaetano, Director, Dept. of Public Works, requesting authorization for Brother Richard Emenecker, F.S.C., to participate in a National Video Teleconference in Washington, D.C. on March 20, 1984, at no cost to the City of Pittsburgh.

Which were read and referred to the Committee on Public Works.

Michelle Madoff:

Mr. Perry, do I see some checks attached to that? What are the dates on those checks, please?

Mr. Perry:

January 23, 1984, December 1, 1983, December 21, 1983.

Michelle Madoff:

Mr. Stone, as you know, has created a lock box system so we get monies into the bank as soon as possible and every day that we don't deposit checks is a loss of interest. I just wanted to point that out. Let's get them moving.

Mr. Grabowski presented

No. 113 Communication from George W. Jacoby, Director, Dept. of General Services, requesting authorization for Barbara Burger to attend an Occupational Safety Management course in Monroeville, PA, February 20-24, 1984, at a cost not to exceed $525.00 payable from Code Account No. 1128, Misc. Services, Dept. of General Services.

Which was read and referred to the Committee on General Services.

Michelle Madoff presented

No. 114 Communication from Daryl H. Smith, Director, Dept. of Water, requesting authorization for Stanley States and John Kuchta to attend a meeting of the American Society for Microbiology, in St. Louis, Missouri, March 5-9, 1984, at a cost not to exceed $2,500.00 payable from Code Account No. 1701, Misc. Services.

Which was read and referred to the Committee on Water.

Mrs. Masloff presented

No. 115 Communication from Reverend Ronald P. Lengwin, Chairperson, Pittsburgh Cable Communications Advisory Committee, submitting the 1983 Annual Report of the Pittsburgh Cable Communications Advisory Committee.

Which was read and referred to the Committee on Finance.

Mr. Wagner presented

No. 116 Resolution providing for an Agreement or Agreements with Chester Engineers (Mr. Alfred E. Baily), P.O. Box 9356, Pgh., PA 15225, for Professional Engineering Services in connection with the design in conjunction with the repairs/replacement of the Filter Building and Operations Center Building Roofs, the repair of leaks in the filter tanks and associated work, at a cost not to exceed $47,000.00 chargeable to and payable from Capital Budget, Account No. WD 83-21, (4-05-30-0003-83), Dept. of Water.

Also,

No. 117 Communication from Paul E. McDermott, P.E., Dept. of Engineering and Construction, requesting interim approval for payment to Michael A. Della Vecchia for recording plans filed by the Public Utility Commission concerning the construction of the Bloomfield Bridge, at a cost not to exceed $1,234.50 payable from Code Account No. PW 82-12, Bloomfield Bridge.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Woods presented

No. 118 Resolution providing for an Agreement or Agreements with a Physician or Physicians, for professional services in connection with the examination of candidates for employment such as, police officers, firefighters, paramedics, school crossing guards, and extra helpers, at a cost not to exceed $4,000.00 chargeable to and payable from Code Account No. 1100,

Misc. Services, Dept. of Personnel and Civil Service Commission.

Also,

No. 119 Resolution providing for an Agreement or Agreements with Court Reporter or Reporters in connection with the taking of testimony at Civil Service Commission and Appeals Board hearings, at a cost not to exceed $2,000.00 chargeable to and payable from Code Account 1100, Misc. Services, Dept. of Personnel and Civil Service Commission.

Also,

No. 120 Resolution providing for an Agreement or Agreements with a Laboratory or Laboratories, for professional services in connection with tests for City of Pittsburgh employees, at a cost not to exceed $1,000.00 chargeable to and payable from Code Account No. 1100, Misc. Services, Dept. of Personnel and Civil Service Commission.

Also,

No. 121 Resolution providing for an Agreement or Agreements with various hospitals and/or physicians for professional services in connection with the Administration and evaluation of medical examinations and tests for the Civil Service Commission's Medical Examination Program for Police Officer candidates, Firefighter candidates, and other candidates for employment and promotion, at a cost not to exceed $30,000.00 chargeable to and payable from Code Account No. 1100, Misc. Services, Dept. of Personnel and Civil Service Commission.

Also,

No. 122 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for professional services in connection with the research, preparation, evaluation, administration, and validation of Civil Service entrance and promotional examinations, at a cost not to exceed $14,000.00 chargeable to and payable from Code Account No. 1100, Misc. Services, Dept. of Personnel and Civil Service Commission.

Also,

No. 123 Communication from Tom Flaherty, City Controller, requesting Raymond E. Johnson, Jr., Deputy City Controller, be granted permission to attend the 1984 Annual Conference of the Municipal Finance Officers Association to be held in San Antonio, Texas from April 13-18, 1984, at a cost not to exceed $1,600.00 chargeable to and payable from Code Account No. 1048, Misc. Services.

Also,

No. 124 Communication from Dante Pellegrini, City Solicitor, requesting permission for himself to attend a seminar on Municipal Personnel and Labor Relations in Washington, D.C., April 14-17, 1984, at a cost not to exceed $750.00, Misc. Services, Dept. of Law.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 125 Petition from the residents of Pittsburgh, requesting a public hearing concerning the Port Authority Transit Subway and LRT line to the South Hills in regards to the contract awarded to Union Switch and Signal of Swissvale, PA, a significant portion of which will be done outside Allegheny County.

Also,

No. 126 Petition from the residents of the Citv of Pittsburgh, requesting a public hearing on the Mayor's Report on Military Spending of December 1983 entitled, "City of Pittsburgh Analysis of Federal Income Tax Dollars used for Defense Spending."

Which were read and referred to the Committee on Finance.

Michelle Madoff:

I just had a call before I came in. As you know, Mike, you had told them that they couldn't have a hearing. Thev have now prepared a press release saying they're going to have a post agenda this coming Wednesday. I now just got a call from Angie saying would we please do it Wednesday. I'm very confused. I'm as confused as you are.

The Chair:

They're going to have what?

Michelle Madoff:

Thev want to have a post agenda. We scheduled a post for Wednesday —

The Chair:

They want a post?

Michelle Madoff:

No, I had scheduled a post for Wednesday, which I cancelled because Mike said we could have a hearing. They now, not knowing that, have already planned for their post agenda on Wednesday, which means that Wednesday becomes the hearing.

Do you think you can work that out with Angie and with the gentleman who contacted you?

Mr. Perry:

Okay.

Michelle Madoff:

I'm just doing what they want.

The Chair:

I know we do some things that are way off but I don't know yet that we let anvone call a post but a Councilperson.

Michelle Madoff:

I called the post. Then I called it off at their request saying that it was too fast to do it Wednesday. Mike came in then, after they had called it off, and said, "Oh, I checked with the attorney; I had two opinions. One opinion said I couldn't have a hearing, now we've learned we can have a hearing."

So, I was only relating information or Mike was relating information he had.

The Chair:

We now have it in the hearing form so we'll pick it up then.

Michelle Madoff:

But they've already sent a press release out so we're going to try to reconcile it by either having it as a post on Wednesday or postponing. I would prefer to have the hearing as a separate time, as you would. I am with you but let's see if we can get Angie and see what we can work out.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 127

Report of the Committee on Finance for January 25, 1984 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 31

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Eastley, Inc. in the amount of $4,161.75 in payment for heating work at the Pittsburgh Zoo, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 34

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of South Hills Computer Center, Inc., P.O. Box 10902, Pittsburgh, Pennsylvania 15236, in the amount of $562.50, in payment for services furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

Also,

Bill No. 40

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Noralco Corporation in the amount of Four Hundred Forty Thousand Six Hundred Twenty Five ($440,625.00) Dollars in payment for an Emergency Contract furnished for the benefit of the City in connection with the East Sycamore Street Hillside Stabilization, including necessary work on private property and other work incidental thereto; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 49

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article I, Administration, by changing the rate of interest on certain delinquent earned income and Home Rule taxes."

Which was read.

Also,

Bill No. 50

A Resolution entitled, "Resolution providing for an agreement or agreements with data processing micrographic specialists or consultants for computer processed microfiche services in connection with real estate tax, water and sewage service, and various other tax, service and payroll and worker's compensation records; and providing for the pavment of the cost thereof."

Which was read.

Also,

Bill No. 51

Resolution repealing Item K of Resolution No. 506, approved July 1, 1983, for the sale of a 2 story frame house at 80 Henderson Street, 25th Ward, Block and Lot 23-G-275, to Mark Farester, for the sum of $2,700.00. Resolution is to repeal sale and return the hand money.

Which was read.

Also,

Bill No. 52

Resolution amending Item B of Resolution No. 1132, approved December 20, 1983, for the sale of a 2-1/2 story brick house at 2828 Bedford Avenue in the 5th Ward, Block and Lot 10-D-80, to Linda Durr, for the sum of $5,000.00. Amendment is to add name to list of former owners.

Which was read.

Also,

Bill No. 53

Resolution amending Item G of Resolution No. 1132, approved December 20, 1983 for the sale of a 3 story building at 541 Paulson Avenue (12th Ward) 124-P-21, to Roosevelt and Leatha Anderson, his wife, for the sum of $1,500.00. Resolution is to correct spelling of a name of former owner.

Which was read.

Also,

Bill No. 54

A Resolution entitled, "Resolution repealing certain Resolutions, approved on various dates for sale of properties in various wards, as described. Resolution is to cancel sales and forfeit the hand money in the respective sales."

Which was read.

Also,

Bill No. 55

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended." (AS AMENDED IN COMMITTEE)

Which was read.

Michelle Madoff:

I would like to have one item that was requested, in writing, from every department head. It still does not appear on the bills. You've got companies and no principles. Not one bill has the principle. When contributions are made to campaign funds, they're made in the name of the person, not in the

corporation. I want to know who the principles are.

The Chair:

That would not be in the legislation, Michelle. That would be in the letter to us in which Mike is trying to inform the Council.

Michelle Madoff:

Mike sent a letter to each department head asking them to put the principles in the letters so that he could pick the information up. Have they been providing you with that?

Mr. Perry:

They're in today's bills that were introduced, Michelle.

Michelle Madoff:

So this is the first time. As of now we'll start to have them?

Mr. Perry:

As of now. Right.

Michelle Madoff:

Thank you very much.

Mr. Perry:

They won't be in the resolution.

Michelle Madoff:

Why not? It's two words extra.

Mr. Perry:

It's not necessary in the resolution.

The Chair:

For a good reason, Michelle. You're dealing with whatever is necessary for the ordinance. You don't clutter it up with everything else.

Michelle Madoff:

Where will it appear? On Wednesday's agenda?

Mr. Perry:

It will appear on Wednesday's agenda.

Michelle Madoff:

That's fine. As long as it's on Wednesday, that's the same as having it here. It doesn't matter. I want it somewhere, not just buried in a letter that nobody looks at.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 128

Report of the Committee on Public Works for January 25, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 27

A Resolution entitled, "Resolution providing for a Contract or Contracts for the purchase and delivery of new and/or used Heavy Equipment for use by the Bureau of Operations in the maintenance of highways and sewers; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 28

A Resolution entitled, "Resolution providing for the letting of a contract or contracts, or to use existing contracts for the purchase and delivery of various water pumps and salt spreading equipment for the Department of Public Works and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

Bill No. 129

Report of the Committee on Parks and Recreation for January 25, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 72

A Resolution entitled, "Resolution amending Resolution No. 1144, effective December 28, 1983, entitled, 'Providing for an agreement or agreements with various independent contractors and/or consultants to provide instruction and/or services in connection with the Pre-School, Community Education, Leisure Activities for the Handicapped, and other Recreational Programs as needed, in the Department of Parks and Recreation, and providing for the payment of the costs thereof,' by increasing the amount to $21,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. O'Malley presented

Bill No. 130

Report of the Committee on Public Safety for January 25, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 35

A Resolution entitled, "Resolution authorizing the Superintendent of the Bureau of Building Inspection to dispose of all violation files, general correspondence files, carfare reports, daily reports and demolition files relating thereto in the Bureau of Building Inspection prior to 1977 and the continuing disposal of same."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 131

Report of the Committee on Engineering and Construction for January 25, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 41

A Resolution entitled, "Resolution amending Resolution No. 441, approved June 10, 1983, effective June 17, 1983, entitled, 'Providing for a Contract or Contracts for Wall Reconstruction of Windom Street at Lauer Way, including necessary work on private property and other work incidental thereto; and providing for the payment of the cost

thereof,' by increasing the project allocation by Twenty Five Thousand ($25,000.00) Dollars." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 42

A Resolution entitled, "Resolution providing for an Agreement or Agreements or the use of existing Agreements for architectural, engineering or other professional services in connection with the design and rehabilitation of Eleanor Street Playground and providing for the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 43

A Resolution entitled, "Resolution providing for an Agreement orAgreements or the use of existing Agreements for architectural, engineering or other professional services in connection with the design for implementation of the Zoo Master Plan and providing for the cost thereof."

Which was read.

Michelle Madoff:

I vote no on this because City taxpayers can no longer subsidize the County.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES 2

(MR. GIVENS AND MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 44

A Resolution entitled, "Resolution

providing for an Agreement or Agreements or the use of existing Agreements for architectural, engineering or other professional services in connection with the rehabilitation of Phipps Conservatory and providing for the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The aves and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President, we have a ruling from Mr. Pellegrini, since you questioned the issue of a floor motion. Floor motions can be generated from the floor; they do not need preparation 24 hours in advance.

The Chair:

Say that again.

Michelle Madoff:

There's a letter from Mr. Pellegrini. Did you get a copy?

The Chair:

I think you were talking about resolutions rather than floor motions.

Michelle Madoff:

General floor motions. It gives the whole ball of wax, floor motions and resolutions.

The Chair:

Yes, but you can't prepare a resolution and then when you violate the time thing, call it a floor motion. If my memory is correct, that's what happened.

Michelle Madoff:

The question was, you were questioning whether anybody could come up with a floor motion and the answer is yes. That is the ruling from the Law Department.

The Chair:

Let me go back so that there is a clear demarcation of where we were. It was my understanding that someone contested the fact that you had put in a resolution and not presented it to Councilmembers. in sufficient time. Thereafter, you attempted, as I recall it, to call it a floor motion.

Michelle Madoff:

The 48 hours pertained the passage of legislation. It says a floor

motion is the matter being recognized by the Chair. If there's a contradiction in terms then that's not my problem.

The Chair:

It's my problem because I don't think you're seeing it where the demarcation was and it's important that you see it that way.

Michelle Madoff:

Let me go back and say that Mike Perry is present and I would like to have Mike Perry verify. Mike, has it been at least two years that I've been trying to get a life cost cycling bill?

Mr. Perry:

A good two years.

Michelle Madoff:

At least two years. The state of Pennsylvania in that time has already passed one. For the benefit of my colleagues or anybody who is interested, it means when we go to paint a reservoir or a bridge or whatever, the highest cost to the taxpayer is the actual labor. The paint is secondary. If you use a better paint it can last ten years. If you use a cheap paint, it lasts a year. It gives you a better surplus at the end of that year but you're painting it every year or every three years.

I think that intelligence would dictate that this Council would want to do the best thing for the public and therefore I would like to have a life cost cycling bill prepared.

Since the Law Department has been reticent to do so, since the Supplies Directors have changed twice, Larry Yatch was preparing it and has left, the new Director wants to be approved by the Administration to do it, and since the situation — We have another letter from Mr. Pellegrini, but it is at present the will of the Mayor that we are doing it in any event, what happens if this Mayor isn't there any longer? I think we protect the public by having a life cost cycling bill which —

Mr. O'Malley:

Why don't you write your own legislation and submit it?

Michelle Madoff:

That's exactly what I've been trying to do for two years. In order to prepare that bill, since it has to be couched in legal terms and prepared legally, I am asking this Council to authorize from our funds to have an attorney help me draft this bill and since Mr. Stone changed the law last year that we have to have five votes in order to get such a person, I am requesting that — you asked me to bring it up today instead of the other day — for approval of somebody to draft that legislation, to help me in drafting the legislation. It should be a couple of hours, I would hope.

The Chair:

Let me see if I understand you correctly. You're saying we're already doing it but you want to put a piece of legislation in?

Michelle Madoff:

We're doing it when they feel like doing it. There's no law that says they must do it. It's at the will of the Administration.

The Chair:

Is there any evidence that they are not doing it?

Michelle Madoff:

Is there any evidence that they are doing it? Is there any evidence that if the Mayor drops dead tomorrow that it will be done?

The Chair:

I don't want to enter into a debate with you, I'm just trying to clear the issue.

Michelle Madoff:

I have many reasons to feel that it is not being done. I think politically it would not be expedient to have this kind of bill.

The Chair:

Do you or do you not have before you a letter which states that they are or are not doing it?

Michelle Madoff:

The letter says: "References made to your letter dated January 17 requesting the Law Department to prepare necessary legislation to implement life cycling costing. The Department of General Services presently implementing life cost cycling in it's specifications when couchable and applicable." I want it to be across the board like it is on the state level, not when they determine that it is suitable. "Like the Commonwealth of Pennsylvania, the City is able to accomplish this cost saving measure as part of the executive function." I don't believe it should be an executive function or disband this Council.

I would like to make it an official ruling in the same way that Mr. Robinson has repeatedly for five years tried to get a percentage of the contracts to go to minorities and women. They said they were doing it. But when the bog was to the wall and they came up with the figures, it was less than one half of one percent. I don't think we're in a position here to demand that every single bill come before this Council to ensure that indeed life cost cycling is part of the method of operandi. I'm asking that that become a bill. This Council has authorized that we do it. They said, "Michelle, go out and prepare the bill, give it to the Administration to prepare." They refused to do it.

The Chair:

Have you written to Danny Pellegrini?

Michelle Madoff:

How many times, Mike?

The Chair:

Has he said he will not prepare it?

Michelle Madoff:

You got it. How many times, Mike? At least ten times.

The Chair:

Has he given any reason why he will not?

Michelle Madoff:

Here's your reason. They don't want any controls. They'll do it when they want to and they won't do it when they don't feel like it. I'm afraid the politics thing would become a very major factor and I think that this Council has an obligation to have the best possible work, the biggest bang for the buck. We get the best work we can for the dollars we have to expend. That's how you get

it, through life cost cycling. I don't think we disagree on it; it's a matter of someone helping me draft the bill.

The Chair:

It would appear to me that if it's being done and it should be done, it ought to be done by our City Solicitor.

Michelle Madoff:

I agree with you but he refuses to do it.

The Chair:

I think we ought to find out what the problem is, frankly.

Michelle Madoff:

He's already told us the problem. They do it when they feel like doing it.

I'm making a motion, a floor motion, as you asked me to bring it forward today. I've done it for two years, ladies and gentlemen, and I'm asking you to support me in getting five votes so we can hire someone to help prepare this piece of legislation. That's my motion.

Mr. Givens seconded the motion.

Mr. Robinson:

Question. Wouldn't it be more appropriate for this Council to instruct our Solicitor to assist Mrs. Madoff in putting together the legislation that she feels in necessary and then let this Council determine, along with the Mayor, whether or not we need —

The Chair:

Do you want to vote on that? That's what I'm trying to do.

Michelle Madoff:

May I respond? Mr. Robinson, how often have we felt in this Council that the Administration really controls to some degree what position the Law Department will take? I would like to have an independent adaptation of this state bill prepared for this Council. It's not very difficult. We should prepare the bill; we have the money for our own expertise. I don't believe we should do it in-house.

Mr. Robinson:

Well, I have a couple concerns. One is, I presented to this Council last year a bill which would have authorized us to have our own legal advisor. This Council did not see fit at that time to secure someone and the major reasoning was that we had access to the City Solicitor. I know you did support me in that effort and I believe that — well, the Charter provides for it and I think that those people who prepared the Charter were wise enough to recognize that there would be occasions when this Council would need it's own legal advice. But it seems to me that it's rather clear. The obligation of our City Solicitor is at least, at least, to prepare legislation. We're not asking him for his opinion. Frankly, I think quite often we depend upon his opinion too often. We put him in a bad position. We need him to do technical work now. If he is not prepared to prepare that legislation, then I think it's time for us to sit down with our Solicitor and ask him what is it that he is prepared to do. I don't think that we ought to go out and get any outside lawyers to do what our City Solicitor is hired to do. If it's some other kind of advice you need, I would definitely support you. But I don't think we should at all bypass a very qualified staff that prepares ninety-nine and forty-four one hundredths percent of the legislation of

this City. All we have to do is ask them. I will support you if you're going to ask Mr. Pellegrini to prepare that legislation and let this Council and you make a determination as to whether or not the City of Pittsburgh needs it. I believe we do need it. But let this Council decide.

Michelle Madoff:

I would have no problem with that if we weren't two to three years down the pike, having asked Mr. Pellegrini who has just arrived, to do this and have him reject it on whatever basis that he has so determined like we're already doing it; the Mayor has ordered that we do it. I see no reason for this legislation. We've asked for it. It has passed this Council and I would venture to guess that if you introduced another bill saying that we want Council to have its own legal counsel, I think it would pass. I think at that point our own Council would draft the bills and then we would not be in this bind.

But you're asking me, and I think you're being unjust, with all due respect, Councilman Robinson, what you say, Councilman Robinson and Councilman Givens, is essentially correct. But they've refused to do it for two years.

The Chair:

Is it your desire to amend your motion?

Michelle Madoff:

My desire is to ask Mr. Pellegrini if I amend it whether he'll do it.

The Chair:

I don't think that's where we are. Mr. Robinson has made a suggestion.

Michelle Madoff:

Alright, I'll give him one more chance. I'll rescind it and I will ask that tout de suite, within 30 days — in can be done within two weeks, a week, or three days because it's right here — that our Law Department draft up a life cost cycling bill for the City of Pittsburgh almost identical to that of the state.

Mr. Givens:

I just talked to Mr. Pellegrini, our Solicitor; I'd like him to go to the mike. I think there is a breakdown in communication here and maybe he can explain why he cannot do this.

Mr. Robinson:

Point of order. I'd like to appeal to the Chair to overrule Mr. Givens suggestion concerning Mr. Pellegrini for one good reason, for a procedural reason. I don't believe that this is the appropriate time for us to discuss this issue. With all due respect to everyone, I have suggested that perhaps we are unduly pressuring Mr. Pellegrini in a number of situations where maybe we ought to find a more appropriate form to discuss it. I don't think this is the time or place to discuss his technical capabilities in preparing legislation. He is obviously technically capable of preparing any legislation we need.

Michelle Madoff:

Thank you, Mr. Robinson. I've just learned that the reason that Mr. Pellegrini has not prepared the bill is that it was an executive order and he doesn't supersede executive orders.

Dante Pellegrini
City Solicitor:

No. There is no state bill. There

is a state executive order. What you're referring to in that report is an executive order put out by the Thornburg Administration and not a state statute.

Michelle Madoff:

Why can't we have our own? Are we superseded?

Mr. Pellegrini:

In effect what we said was that the City does have an administrative policy of doing life cycle cost analysis. If you're buying two dollars worth of bolts, it doesn't pay you to do a life cost cycling analysis. It's a fancy name for —

Mr. Grabowski:

Mr. Stone, point of order. I believe Mr. Robinson suggested that Mr. Pellegrini not address the issue at this time. Perhaps it would be more appropriate if we brought him before Council at Wednesday's meeting on a post agenda.

The Chair:

Mr. Grabowski, you're 100 percent correct with one problem. We didn't want to hear from Mr. Pellegrini but we had two people quote what he said and in each instance, as I understand, it was incorrect, so his question was whether we should hear from him.

Michelle Madoff:

Why don't we clarify this completely since it's my motion?

The Chair:

Hold on. The trouble with what you're doing — This is the third time we've amended it and I'd like to go back to where we were.

Michelle Madoff:

It's been two years.

The Chair:

Let me get cleared up here for a minute —

Michelle Madoff:

It's my motion; I'd like to change my motion.

The Chair:

Mr. Givens, are you removing your second?

Mr. Givens:

I'll remove it.

Michelle Madoff:

I'm going to change my motion.

The Chair:

Alright. So it's clear at this moment, there is no motion on the floor.

Michelle Madoff:

I am introducing a motion that this Council introduce legislation prepared by our Law Department, as opposed to an executive order, so that we have, in effect, a workable life cost cycling piece of legislation, not a Republican Thornburg order by the Governor or by our present Mayor. I want it as part of legislation.

Mr. Robinson seconded the motion.

Mr. Givens:

Can this Council enact that type of legislation or is that the prerogative

of the Executive Branch of government?

Michelle Madoff:

I can answer that.

The Chair:

Michelle, will you do me a favor? When other people speak, you let them completely finish.

Michelle Madoff:

I thought he was through. I'm sorry.

The Chair:

Let him finish completely. You're always answering everybody. Just let him finish.

Mr. Givens:

That is my question and there's only one who can answer that question, although he was not allowed to address it. But now that we have this motion on the floor, I would like Mr. Pellegrini to address it. Can this Council do it or can we not? If he needs some time to address the issue and research it, fine.

The Chair:

If the Chair may for a minute. Relative to the present motion, it's more dangerous than any of the two previous ones we've had. We don't know it and apparently there's some problem with it. What we're trying to do is force it down someone's throat without knowing the full ramifications of it. I think the original motion, the one that suggest he prepare the legislation which comes back here for us to determine whether or not we should or should not go in that direction, has more sense. But since we're doing it this way, I can tell you in advance it's not getting my vote for whatever value it means.

Michelle Madoff:

We're going the way you wanted it. We're getting the Law Deparatment to prepare it. What is your problem?

The Chair:

No. Apparently you misunderstood what Mr. Robinson suggested. Mr. Robinson is suggesting that you request from the City Solicitor that he prepare the legislation. Now you have it prepared. You then, would present it and after that, this Council would determine, then and only then, whether or not that was apropos for the City of Pittsburgh.

Michelle Madoff:

And that's not what you want?

The Chair:

That's not what you just said.

Michelle Madoff:

That's exactly what I just said.

The Chair:

No it isn't. You're saying that we go ahead, as of this moment, and put it in.

Michelle Madoff:

No, no. That's not what I said. How could I put it in if it hasn't been drafted yet. I just said exactly what you just said. Exactly. That we order the Administration, Danny Pellegrini, to draft the legislation for this body.

The Chair:

Only that he draft the legislation?

Michelle Madoff:

That's right.

The Chair:

Do you agree with that, Mr. Givens?

Mr. Givens:

I have a question that wasn't answered yet. Does this require an executive order or can this Council do it? I think Danny is prepared right now to answer that if he can come to the podium. Why put him through a lot of work and this Council through a lot of work when it's not going to mean anything?

The Chair:

Let me tell you something. When you second a motion, you're putting us through the trouble. If you didn't second the motion, it wouldn't be there.

Mr. Givens:

I want to hear from Danny.

The Chair:

I know. Some people who second motions ought to understand that they're helping to generate the problem.

Mr. Givens:

I seconded the motion because I think a Councilperson has been working for two years to bring this about. I think we should bring it to resolution today.

The Chair:

The Chair is asking if there is anyone opposed to Mr. Pellegrini speaking right now.

Mr. Grabowski:

I oppose to Mr. Pellegrini speaking now. I would prefer to see him speak at Wednesday's meeting on a post agenda.

Mr. Robinson:

I oppose.

The Chair:

That may come up with the bill.

Michelle Madoff:

I don't want to lose the votes on the bill and then have life cycling costing go down the tubes. I will withhold the bill. We will have a post agenda at your discretion this coming Wednesday, Mr. Chairman. We will then ask Mr. Pellegrini and he should be prepared to answer why he is not prepared to draft legislation for us to make it legislation as opposed to an executive order.

I withdraw my motion.

The Chair:

Are you withdrawing your second, Mr. Givens?

Mr. Givens:

I withdraw my second.

The Chair:

The Chair doesn't have any motion to entertain. We'll move on.

(MEMORANDA FROM MR. ROBINSON - 1/25/84)

TO: President and Members of Council
FROM: William Russell Robinson, Member of Council
DATE: January 25, 1984
SUBJECT: Conference at the University of Pittsburgh

"PUBLIC/PRIVATE PARTNERSHIPS: LINKING AFFIRMATIVE ACTION AND PRODUCTIVITY"

Dear Sirs/Madames:

As Chairman, Planning, Housing and Development, City Council and a member of the City of Pittsburgh Minority Business Enterprise Review Committee and the Western Pennsylvania Advanced Technology Center, I attended a one day conference at the University of Pittsburgh titled, "PUBLIC/PRIVATE PARTNERSHIPS: LINKING AFFIRMATIVE ACTION AND PRODUCTIVITY". The conference explored the development of economic opportunities in the Pittsburgh area.

The Honorable Parren J. Mitchell, Congressman from the 7th District, Maryland was the guest speaker. I am honored to serve on the Congressional Black Caucus, Minority Business and Economic Development Brain Trust of which Congressman Mitchell is the Chair.

Additional information on the Conference will be provided upon request.

Respectfully submitted,

William Russell Robinson
Chairman,
Planning, Housing and Development

TO: President and Members of Council
FROM: William Russell Robinson, Member of Council
DATE: January 25, 1984
SUBJECT: Mid-Year Conference

Dear Sirs/Madames:

As Chairman of Planning, Housing and Development, City Council and as a member of The National Council For Urban Economic Development, I attended the Mid-Year Conference of The National Council For Urban Economic Development in Norfolk, Virginia, January 22, 1984 to January 24, 1984.

The conference centered on development in urban centers and was titled "DOWNTOWN DEVELOPMENT: A PROBLEM SOLVING APPROACH".

Further information will be provided upon request.

Yours respectfully,

William Russell Robinson
Chairman,
Planning, Housing and Development

(END OF MEMORANDA - 1/24/84)

Mr. Robinson moved to approve the minutes from Monday, January 16, 1984.

Mr. O'Malley seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Robinson**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, February 6, 1984 No. 6

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, February 6, 1984

PRESENT:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Robinson:

Mr. President and members of Council, as you know, each year over the last six we have taken time out of the first week of February to acknowledge Afro-American History Month. This year, again, I'd like to introduce a resolution and so honor Afro-American History Month.

In so doing, I'd just like to indicate that there are a few people present who I think we should recognize and I'd like to do so at this time. While I'm doing that, I would like two people to come forward who will be accepting the resolution and will have some very brief comments. Ms. Marjorie Franklin who is a librarian with the Homewood/Brushton Branch of our own Carnegie Library and also Dr. Jake Milliones who is the President of our School Board.

I should say that this year's theme is Excellence in Education and I think both of these individuals, in their brief comments, will have something of value to say to you.

Also, I'd like to recognize Dr. Edna McKenzie who is a member of the Executive Council of the National Association for the Study of Afro-American Life and History, one of the organizations that is sponsoring Afro-American History Month. In fact, it's founder, Carter G. Woodson, founded Afro-American History Month.

Also, we want to recognize the students from our own Community College, Allegheny Campus, the Afro-American History class, Dr. Lela Allen who is with the College Office of Community College and Dean Flora Russell who is with the Center North Campus of Community College.

I'd like to thank all of you for coming and participating in this program.

Mr. Robinson presents

Bill No. 179 WHEREAS, Afro-Americans have been an integral part of this nation, this state, this country, and this City's history for more than 300 years; and

WHEREAS, the first week of the month of February has been traditionally designated to recognize their many deeds and accomplishments; and

WHEREAS, many distinguished Afro-Americans made history as residents of our City, such as, Dr. Martin R. Delany, Louis Woodson, George B. Vashon, Henry Ossawa Tanner, Robert L. Vann, Daisy Lampkin, Dr. Alma Illery, Honorable Homer S. Brown, Honorable Paul Jones, Percival L. Prattis, and the Reverend Baxter Sherman Mason; and

WHEREAS, in February of 1926, Dr. Carter Godwin Woodson, the Director of the Association for the Study of Negro Life and History, launched the celebration of Negro History Week; and

WHEREAS, this celebration has been expanded to a full month of recognition; and

WHEREAS, throughout the nation, distinguished and honored people of African ancestry will be honored during Afro-American History Month.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of Council of the City of Pittsburgh, on behalf of the citizens of the City of Pittsburgh, shall recognize and observe the month of February as Afro-American History Month.

Mr. Robinson moved to adopt the resolution.

Mr. Woods seconded the motion.

Which motion prevailed.

Mr. Robinson:

Before our speakers make their presentations, I'd like to indicate that each year we have asked some speakers to come forward and share with us some of their insights relative to Afro-American History Month.

Miss Franklin, of course, will speak to us as a representative of the Homewood/Brushton Library, as a librarian at that very fine facility. Certainly our libraries throughout the country are reservoirs of important information relative to the history of people of African ancestry.

Dr. Milliones, who is the newly elected President of our School Board, certainly has shown by his past performance and his past statements his dedication to excellence and education. Those of us who put this little program together thought it would be appropriate for someone of his distinguished character to be here today to speak on the issue of excellence and education.

So, with that, I'd like to have both of them have some brief words.

Miss Franklin:

On behalf of the blacks of the City of Pittsburgh, I want to thank Councilman Robinson and also Council for recognizing us. We've been here 300 years but our history has been lost, strayed and stolen. I am a product of the Pittsburgh schools, so-called good schools. Friendship, in my day, was excellent; Peabody was good. And the

only person I ever heard of was Dr. Carver and Booker T. Washington. All of the other greats who had made contributions to this country were lost.

We've heard that Carter G. Woodson started the Association almost 60 years ago, but it didn't get to Pittsburgh fast enough. He has been honored by the nation with a stamp recognizing his activities in this field.

As one of the libraries in one of the black pockets of the City, we naturally do a big thing for Black History Month. This month we are showing black women who have made contributions against the odds. That exhibit will be on display for the full month. We are also having a talk on black aviators in Western Pennsylvania. Backing up to the women, we are also going to have a tea on Sunday, I believe the 26th, because two of the women that the Smithsonian honored as being important are right here in the City of Pittsburgh. We have Maida Springer-Kemp, who was very active in labor movements, and Dr. Polly Murray, who is best known, probably, for being the first black woman Episcopal priest.

The other library in the black pocket is also, naturally, having programs. The Hill District has an art display. They're going to have films and they are going to have the Association for the Study of Afro-American Life and History meeting where they are going to discuss the blacks and their striving for education.

With Dr. Milliones here I'm not going to say anything else about that, but thank you again.

Dr. Milliones:

Councilman Robinson, thank you for the presentation of the resolution. Let me just say that it's unfortunate that we, indeed, have to have a Black History Month. In fact, I look forward to the day when black Americans will be properly represented in the history of this country and perhaps there will not be the need for such a recognition in the month of February.

However, be that as it may, it is fitting this year that the theme of Black History Month is Excellence in Education. So, on behalf of the Board of Education, we would like to say to you that we are going to make every effort to see that every youngster, every youngster, both black and white, in the City of Pittsburgh, has the opportunity to be exposed to the best that the educational system has to offer. We are very excited about the prospects of what can happen in education, particularly in some of the low-achieving black schools and I see that we have in our audience Mrs. Doris Bovard who certainly represents the excellence, who is the principal of the Vann Elementary School in the Hill District. She certainly represents the type of principal that we speak about when we talk about excellence. It is one of the highest achieving schools in the City and it has been for a long time.

So, that is our goal this year; to make sure that particularly the low-achieving black schools do indeed achieve and we will have more to say about that in the coming days.

Thank you very much.

Michelle Madoff:

Dr. Milliones, I think any thinking person appreciates the tremendous work that you've done and I think that the resolution today is most appropriate.

I have a concern that I'm sure we

both share that is very tied in to what you're doing. Are those children who are going to get the education going to get enough to eat so they can concentrate? Are there going to be hot lunches provided or is that program going down the tubes? I'm very concerned about that.

Dr. Milliones:

Which program are you referring to?

Michelle Madoff:

I'm talking about the federal program where the children get hot lunches. For the families that aren't working now and are unemployed, will there be some money available?

Dr. Milliones:

The federal program would probably be more appropriately addressed to the President. So far as I'm concerned, I would hope that that program will remain with the Pittsburgh system. However, it is a federal program and we have very little say about that.

Michelle Madoff:

What I'm asking, is it in effect now or has the money been cut off?

Dr. Milliones:

It is in effect now.

Michelle Madoff:

It is in effect and the monies have not been cut off as of this point?

Dr. Milliones:

Not to my knowledge.

Michelle Madoff:

That was my concern. Thank you very much.

Mr. Robinson:

Again, I would like to thank my colleagues and the Mayor for their graciousness and support over the last seven years. I think credit should always be given where credit is due and I want to thank those who have cooperated over the years in making this program a success.

Also, I'd like to recognize all those who came out this afternoon. I'd like to thank you for your support over the last seven years. Some of you have been here year after year after year. I see Father McIlvane. I see Lester Cain, one of my former colleagues at the University of Pittsburgh; many of you who have supported this program. I think it's also important that you check your newspapers, check with your local community organizations and groups, particularly in the black community. For the whole month of February there will be programs; some of our television stations have been kind enough to set aside some time to also recognize Afro-American History Month.

One comment on Dr. Milliones' statement about the quality of education in our school system, I think if all of us dedicate ourselves to making our schools better, then that will make all of us who live in the City better and that will give us an opportunity to not only share another's cultures but to share another's understanding and perspective. The economy of our community is such now that many of us will have to be retrained, many of us will have to be educated. Hopefully, as that preparation and education takes place, those of us who truly want to work together and live

together in the City will be able to do that and certainly over the years the educational process has provided many, many opportunities for us all to recognize that the City belongs to all of us and if we work hard for its major institutions, particularly our educational institutions, that indeed Pittsburgh will be someplace special.

I'd also like to thank Councilman Stone for being kind enough to hold the proceedings for a few minutes while I took care of some business and also thank him for his cooperation over the last six or seven years in this regard.

The Chair:

Thank you, Mr. Robinson.

Mr. Givens presented

No. 135 Resolution providing for the filing of an application by the City of Pittsburgh with the State of Pennsylvania, Dept. of Environmental Resources for a grant in connection with a Rodent Source Elimination Project in the 12th Ward of the City of Pgh., providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Rodent Source Elimination Project in the 12th Ward of the City of Pgh.; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account.

Which was read and referred to the Committee on Public Works.

Mr. Givens moved to suspend Rule 8 by providing consideration of a bill only until or after the 9th calendar day following the meeting in which the bill was introduced so it will be on the agenda this Wednesday.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Also,

No. 136 Resolution vacating Square Way from Sonny Street to Chainman Way in the 13th Ward of the City of Pittsburgh.

Which was read and referred to the Committee on Public Works.

Mrs. Masloff presented

No. 137 Resolution transferring $10,000.00 from the Department of Parks and Recreation's Code Account 1838, Recreational Activities, Miscellaneous Services to the Department of Parks and Recreation's Code Account Special Parks Programs Trust Fund.

Which was read and referred to the Committee on Finance.

Also,

No. 138 Resolution providing for an Agreement or Agreements with Western Pennsylvania Conservancy for services during 1984 and providing for the payment of the costs which is not to exceed $3,500.00 chargeable to and payable from Code Account 1838, Recreational Activities, Misc. Services, in the Dept. of Parks and Recreation.

Also,

No. 139 Communication from Wendy S. Bell, Deputy Director, Dept. of Parks and Recreation, requesting authorization for Todd Meyer, Keith

Romanowski and Howard Hays to travel to Ashboro, North Carolina and New York, New York on January 26, and January 27, 1984 at no cost to the City of Pittsburgh. Prior approval by Council dated January 24, 1984. This trip is necessary for the purpose of investigating the design and operation of other zoos in connection with their primate exhibits.

Also,

No. 140 Communication from Wendy S. Bell, Deputy Director, Dept. of Parks and Recreation, requesting authorization for Hosea Holder and Judy Reese, Pool Coordinator and Lifeguard, to attend CPR and First Aid classes at various locations on January 26, February 6, February 28, and March 24, 1984 at a cost not to exceed $100.00 payable from Code Account No. 1801, Misc. Services. Prior approval by Council letter dated January 25, 1984.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 141 Resolution providing for the letting of a Contract or Contracts or the use of existing Contracts for the furnishing and delivery of Manual Typewriters, less trade-ins, for the Dept. of Police, Code Account No. 1452, Equipment & Machinery, and for payment of the costs not to exceed $6,000.00.

Also,

No. 142 Resolution providing for the letting of a Contract or Contracts for the furnishing and delivery of MSA Pressure Demand Air Mask (SCBA) with composite air bottles, for the Dept. of Fire, Code Account No. 1468, Equipment, cost not to exceed $13,790.00.

Also,

No. 143 Resolution providing for the letting of a Contract or Contracts for the furnishing and delivery of 1-3/4 inch Double Jacketed Polyester Fiber rubber lined fire hose, 50 foot per section, for the Dept. of Fire, Code Account No. 1468, Equipment, cost not to exceed $11,210.00.

Which were severally read and referred to the Committee on General Services.

Also,

No. 144 An Ordinance amending the Pittsburgh Code, Title Five, Traffic, Article III, Towing, Chapter 525, Towing Charges, Section 525.02, Schedule of Towing Fees, by changing the classification of truck, truck tractor and trailer vehicles from an alphabet prefix license letter to a numerical classification by gross weight and; by changing the fee schedule to be applied to each classification; Chapter 523, Tow Pounds, Section 523.05(b), Redemption and Charges, by changing the amount to be charged for vehicle storage to a daily rate according to the classification of the vehicle.

Which was read and referred to the Committee on Public Safety.

Mr. Robinson presented

No. 145 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 11 by changing from "M2" Limited Industrial District to "R5-H" Multiple-Family Residence District certain property bounded by: Centre Avenue; Lot No. 282, Block 84-E in the Allegheny County Block and Lot System; the "R4" Zoning District Boundary line

located south of Centre Avenue, South Negley Avenue; the "R5-H" Zoning District Boundary line located east of South Negley Avenue and south of Centre Avenue, 7th Ward.

Also,

No. 146 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Maps No'd. 7 & 12 by changing from "M2" Limited Industrial District to "R2" Two-Family Residence; "C3" & "C4" Commercial Districts certain property located in the area generally bounded by: MARION; WATSON; MOULTRIE; TUSTIN; GIST & LOCUST STREETS, 1st and 4th Wards.

Also,

No. 147 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in the amount of Two Million Three Hundred Thousand ($2,300,000.00) Dollars to the Pennsylvania Dept. of Community Affairs for the Herr's Island Redevelopment Project.

Also,

No. 148 Resolution authorizing the URA of Pgh. to file an Amendatory Application for financial assistance in the cumulative amount of $2,598,400.00 with the Pennsylvania Dept. of Community Affairs for the Neighborhood Housing Program.

Also,

No. 149 Resolution authorizing the URA of Pgh. to file an Amendatory Application for financial assistance in the cumulative amount of $500,000.00 with the Pennsylvania Dept. of Community Affairs for the Urban Homesteading Program.

Also,

No. 150 Resolution amending Res. No. 1121, eff. Dec. 20, 1983, by providing for the designation and implementation of a portion of certain Community Development Block Grant funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Dept. of Community Affairs; for the reimbursement of the Pennsylvania Dept. of Community Affairs for expenditures determined to be ineligible; for the adoption by the City of Land use control ordinances regulating the development within the hundred year flood plain for the amendment of the Building Code and other Codes as required to provide for flood proofing of structure; and for the designation of the Commonwealth of Pennsylvania as a Third-party beneficiary of the flood control provisions for the Herr's Island Redevelopment Project.

Also,

No. 151 Resolution providing for a First Amendatory Urban Homesteading Program Cooperation Agreement with the URA of Pgh., providing for the designation and implementation of a portion of Ninth Year Home Improvement Loan Program for a grant applied for with the Pennsylvania Dept. of Community Affairs and for the reimbursement of the Commonwealth for and expenditures determined to be ineligible.

Also,

No. 152 Resolution providing for a First Amendatory Neighborhood Housing Program Cooperation Agreement with the URA of Pgh., providing for the designation and implementation of interest earned as the

local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Dept. of Community Affairs and for the reimbursement of the Commonwealth for any ineligible expenditures.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 153 Resolution amending Res. No. 21, appr. Feb. 2, 1984, entitled, "Providing for the issuance of a warrant in favor of Noralco Corporation in the amount of $440,625.00 in payment for an Emergency Contract furnished for the benefit of the City in connection with the E. Sycamore Street Hillside Stabilization, including necessary work on private property and other work incidental thereto; and providing for the payment thereof," by amending Section 1 to include the name of the Contractor; chargeable to and payable from Code Account PW 83-31, 4-01-01-0147-83, E. Sycamore Street Hillside Stabilization.

Which was read and referred to the Committee on Finance.

Mr. Wagner moved to suspend Rule 8 by providing consideration of a bill only until or after the 9th calendar day following the meeting in which the bill was introduced so it will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also,

No. 154 Resolution providing for a Contract or Contracts or the use of existing Contracts for the rehabilitation of Armstrong Playground at a cost not to exceed $50,000.00 chargeable to and payable from Project Code 4-10-10-1555-83-236-83-10 (83 CDBG), Armstrong Playground, in the Dept. of Engineering and Construction.

Also,

No. 155 Resolution providing for a Contract or Contracts or the use of existing Contracts for the rehabilitation of various Housing Authority Playgrounds including Glen Hazel and Bedford Housing sites at a cost not to exceed $40,000.00 chargeable to and payable from Project Code 4-10-10-0015-83-235-83-10 (83 CDBG), Housing Authority Playgrounds and Courts Rehabilitation, in the Dept. of Engineering and Construction.

Also,

No. 156 Resolution providing for a Contract or Contracts or the use of existing Contracts for the rehabilitation of various Department of Parks and Recreation facilities at a cost not to exceed $250,000.00 chargeable to and payable from Project Code 4-10-10-0001-84 (PR84-06), Rehabilitate Existing Playgrounds, in the Dept. of Engineering and Construction.

Also,

No. 157 Resolution providing for a Contract or Contracts or the use of existing Contracts for the rehabilitation of various Department of Parks and Recreation turfed areas and ballfields at a cost not to exceed $20,000.00 chargeable to and payable from Project Code 4-10-07-1410-84 (PR 84-04), Turfed Areas and Landscape Rehabilitation, in the Dept. of Engineering and Construction.

Also,

No. 158 Resolution providing for a Contract or Contracts or the use of existing Contracts, in connection with Renovations of Various Public Buildings, at a cost not to exceed $50,000.00 chargeable to and payable from Code Account L.B. 84-10, 4-25-15-0001-84, Renovations of Various Public Buildings.

Also,

No. 159 Resolution providing for a Contract or Contracts, including the use of existing Contracts for construction in connection with Renovation of various Park facilities at a cost not to exceed $50,000.00 chargeable to and pavable from Code Account L.B. 84-13, 4-25-15-2030-84, Renovation of Various Park Facilities.

Also,

No. 160 Resolution providing for an Agreement or Agreements for construction in connecction with the renovations of various fire stations at an aggregate cost not to exceed $50,000.00 chargeable to and payable from Code Account L.B. 84-01, 4-25-01-1964-84, Rehabilitation of Fire Stations.

Also,

No. 161 Resolution providing for the taking of property in the 5th Ward of the City of Pittsburgh, owned by POA Company, a Pennsylvania general partnership and Foster and Kleiser, Corp. for the reconstruction of the Bloomfield Bridge and approaches and authorizing payment of just compensation and necessary and incidental acquisition and relocation costs related thereto.

Also,

No. 162 Resolution amending Res. No. 1125 of 1983 providing for the taking of property in the 5th, 6th, and 7th Wards of the Citv of Pittsburgh, owned bv POA Company, a Pennsylvania general partnership and Foster and Kleiser, Corp. for the reconstruction of the Bloomfield Bridge and approaches and authorizing payment of just compnesation and incidental acquisition and relocation costs related thereto.

Also,

No. 163 Communication from Paul J. McDermott, Director, Dept. of Engineering and Construction, requesting interim approval for pavment to Brayman Construction Corp. in connection with the Reconstruction of the Forbes Avenue Bridge for removal of portions of existing abutments, cost not to exceed $921.46 payable from Code Account No. PW 84-38, Misc. Repairs to Streets and Structures.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Woods presented

No. 164 Resolution providing for the issuance of a warrant to Donald J. Hays and Delores Hays, his wife, in care of Bryan Campbell, Esquire, 220 Grant Street, Pgh., PA 15219 in the amount of $4,000.00 in full settlement of a claim for property damages and providing for the pavment thereof.

Also,

No. 165 Resolution providing for the issuance of a warrant in favor of Dow Jones and Company, Inc., P.O. Box 4137, Church Street Station, New York, New York 10249 in the amount of $251.02 in payment for advertising cost in The Wall Street Journal furnished for the benefit of the City in connection with the advertisement of employment opportunity with the City of Pittsburgh

in the position of Investment Officer, Dept. of Finance, payable from Code Account No. 1063, Misc. Services, Dept. of Finance. Prior approval by Council Bill No. 21, dated January 18, 1984.

Also,

No. 166 Resolution providing additional benefits to the former employees who are beneficiaries of the City of Pittsburgh Policemen's Relief and Pension Fund, Firemen's Relief and Pension Funds, and Municipal Pension Fund who retired prior to January 1, 1984, providing for additional sum of $25.00 per month, payable from Code Account No. 55, Policemen's Relief and Pension Fund, No. 56, Firemen's Relief and Pension Fund, and No. 58, Municipal Pension Fund-Old.

Also,

No. 167 Resolution providing for an Agreement or Agreements for specialized professional services in connection with conduct of negotiations and arbitration proceedings including labor relations advice, representation at negotiating meetings and economic and job evaluation advice, and related personnel matters; and providing for the payment of the cost not to exceed $12,000.00 payable from Code Account No. 1100, Misc. Services, Dept. of Personnel and Civil Service.

Also,

No. 168 Resolution providing for the filing of a petition for the exoneration of taxes and transfer of property in accordance with the laws applicable for transfer. Proceeds to be paid from Code Account No. LB 84-05, No. 3 Police Station.

Also,

No. 169 Resolution repealing Item (L) of Res. No. 964, appr. 10-27-83, for the sale of a 3 Sty. Brk. Bldg., at 6518-20 Frankstown Avenue, 12th Ward, Block and Lot 125-E-96, to George C. & Carolyn R. Williams, for the sum of $4,600.00. Amendment is to repeal the sale and return the hand money.

Also,

No. 170 Resolution amending Item (I) of Res. No. 1062, appr. 12-6-83 for a 2½ Sty. Brk. Hse. located at 7213 Monticello Street, 12th Ward, designated as Block and Lot 174-F-138, sold to Firdausi Bey, for the sum of $1,500.00. Amendment is to correct the spelling of the name of a former owner from Lawrence Daniel Stoner & Margaret Stoner to read: Lawrence Danuel Stoner and Margaret Stoner.

Also,

No. 171 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended.

Also,

No. 172 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, requesting authorization for James E. Simms to attend the National Forum for Black Public Administrators' Second Annual Conference to be held in Atlanta, Georgia on April 16-19, 1984 at a cost not to exceed $850.00 payable from Code Account No. 1017, Misc. Services, Mayor's Office.

Also,

No. 173 Communication from Melanie J. Smith, Director, Dept. of Personnel and Civil Service, requesting authorization for Bernard M. Schneider

to attend the annual meeting of the Nartional Public Employer Labor Relations Association to be held in Clearwater, Florida, March 11-16, 1984, at a cost not to exceed $1,500.00 payable from Code Account No. 1100, Misc. Services.

Which were severally read and referred to the Committee on Finance.

The Chair:

I would like to mention that this coming Monday I will not be here. It will be incumbent upon us then to have a President, Pro tem. Customarily, the Finance Chairman has served in that capacity. If no one has any objections, we'd like to continue that process. Does anyone have any objections?

Michelle Madoff:

I think it's an excellent idea.

The Chair:

All in favor signify by saying aye. Opposed? So carried.

With that, we'll now have the Reports of Committees.

REPORTS OF COMMITTEES

The Chair:

If I may, the Chair would like to temporarily hold off on two bills in this Committee and deal with all the bills with the exception of the Water Authority.

Mr. Woods presented

Bill No. 174

Report of the Committee on Finance for February 1, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 47

A Resolution entitled, "Resolution signifying the desire and intention of the City of Pittsburgh to organize an Authority under the Municipality Authorities Act of One Thousand Nine Hundred Forty-Five, setting forth the proposed articles of incorporation of the Pittsburgh Water and Sewer Authority, authorizing the proper officers of the City for and on behalf of said City of Pittsburgh and repealing all resolutions or parts of resolutions inconsistent herewith."

Which was read.

Also,

Bill No. 48

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Water and Sewer Authority, a municipal authority being formed under the Municipality Authorities Act of 1945, as amended."

Which was read.

The Chair:

Now we shall discuss Bills 47 and 48 which deal with the Water Authority. The first to have his hand up was Mr. Grabowski, then Mr. Givens and then Michelle Madoff.

Mr. Grabowski:

Thank you, Mr. President.

Since we considered these bills last Wednesday at our Finance Committee Meeting, they have received a lot of attention. In fact, up until this morning we were discussing possible alternatives to these bills. I don't think that in light of the number of alternatives that have surfaced that we have really had time to look at them to see if they are, in fact, feasible and doable.

Based on that, I'd like to make a motion that we recommit Bill Nos. 47 and 48 to the Committee on Finance.

Mr. Givens seconded the motion.

Michelle Madoff:

Direction, please. May I make an amendment to the motion?

The Chair:

The motion is to recommit.

Michelle Madoff:

Yes, but can I make an amendment to that motion to recommit? To recommit for two months?

The Chair:

I think you have to recommit and then do it at the table, Michelle.

Michelle Madoff:

I think there's not enough time if we don't have two months to do it.

The Chair:

But what you want to do is, if you're so disposed to recommit, commit it back to Committee and then from then on do what you want with it.

Michelle Madoff:

There's no point, Mr. Stone, with all due respect, recommitting it for one more week or two more weeks because we don't have enough time to do it.

The Chair:

I might agree with you but I think the way to do it is to commit it back and then dispose of it.

Michelle Madoff:

When would that take place? On Wednesday?

The Chair:

Yes.

Michelle Madoff:

And there's no way we can recommit and say we'd like to recommit for two months today. I would like to make that as part of the recommitment. Am I privileged to do that?

The Chair:

Yes, but you're committing it back to the Finance Committee and let the Finance Committee, then, determine what disposition it will make.

Michelle Madoff:

I don't think I'm out of order and I would like a ruling from the Parliamentarian whether I have the right

to attach to that amendment that at least one month, I'll buy one month, at least four weeks from now. I think I have that privilege and right.

The Chair:

I have a motion to hold the bill in Committee for one month. Do I have a second?

Mr. Givens seconded the motion.

Mr. Woods:

If I may, Michelle, it's always the procedure to recommit. Once you recommit, it's back to Committee. Then on Wednesday, when it would come up, then you would say you want to hold this bill for a month or two months. That's the proper way. Right now all you're doing is voting on recommitting it to Committee.

The Chair:

She's aware of that; I made that point. She wants to still do it.

Michelle Madoff:

Mr. Woods, you are correct; it can be done that way. It also can be done the other way. They are both correct. We have done it many, many times in a resolution form to say we're going to recommit. We've done it to me, many times, to say for at least — Mr. Stone will say, "How long do you think you're going to need for this bill?" Many times. I'm asking for the courtesy of having the opportunity to do what every other member of this Council has done to say I would like to hold it for a month. I've attached that rider —

The Chair:

The Chair has heard you and you will stop for a moment.

Do you want to amend you're original motion to say one month?

Mr. Grabowski:

I will do that. Let's hold it for one month.

The Chair:

You don't have to. If you want to just —

Mr. Grabowski:

I think Michelle is right. Let's recommit it for one month.

The Chair:

Alright. Mr. Givens, what about your second? Do you want to make it a month?

Michelle Madoff:

He already seconded for a month.

The Chair:

Michelle, please let me preside.

Steve's motion is to recommit until next Wednesday. There has been an amendment. The question is now, he says he does not mind making one motion to include her's which is to be committed and recommitted for one month.

Do you want to second the recommitment for one month?

Mr. Givens:

Yes.

The Chair:

Okay. We only have one motion before us at this time and that is to recommit for the length of one month.

Take the roll.

Mr. Givens:

Aye.

Mr. Grabowski:

Aye.

Michelle Madoff:

Aye.

Mrs. Masloff:

No.

Mr. O'Malley:

No.

Mr. Wagner:

Aye.

Mr. Woods:

No.

The Chair:

No.

The motion having failed, we'll go back to the original —

Michelle Madoff:

Excuse me. How does it fail if it's a tied vote?

The Chair:

You need five. On Monday you need five.

Michelle Madoff:

Where is Mr. Robinson? Would it be out of order to ask Mr. Robinson to vote on that? It's such an important vote.

Mr. Wagner:

Mr. President, Mr. Robinson is obviously here, I would think, and it is a critical vote. For that reason, I think we should attempt to find him and have him partake in this vote.

Mr. President, may I add, could we recess for five minutes to see if he is here?

The Chair:

We'll see how much time we lose and if it's not too much we'll continue on.

While we're waiting for Mr. Robinson, the Chair would like you to understand that at the time a vote is called, the vote must be cast at that time. We can't wait for votes. If they're not here, that's regretful. But because of the issue before us, we will permit Mr. Robinson, if he's here within a short period of time, to vote.

Mr. Grabowski:

Mr. President, is a motion in order? Another motion?

The Chair:

No. We are kind of at rest for a second, in place. I don't want to change this all over the place. We'll stay right where we are for a second.

Mr. Wagner, I'll entertain your motion to recess for five minutes.

Mr. Grabowski:

Could we have a roll call vote on that recess?

The Chair:

Steve, I'm going to help you. I'm granting a five minute recess.

And on the motion of **Mr. Wagner**

Council recessed.

And the time of recess having expired, Council reconvened and there were present:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

The Chair:

Councilman Robinson, the vote presently, at this time, is to recommit for one month. There has been a request that you cast a ballot.

Mr. Robinson:

Clarification. A vote on which particular bill?

The Chair:

On the Water Authority bills only.

Everyone has voted with the exception of yourself. The issue is whether or not it should be — If you're voting yes, you would recommit for one month back to the Committee and if you are not, we would vote today.

Mr. Robinson:

A yes vote is to recommit?

The Chair:

Correct.

Mr. Robinson:

My vote is no.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Michelle Madoff
Mr. Grabowski	Mr. Wagner
AYES 4	NOES 5

VOTING NO:

Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

The Chair:

Can I get a motion to approve the bill?

Mr. Woods moved to approve the bill.

Mrs. Masloff seconded the motion.

The Chair:

On the original bill, Mr. Givens.

Mr. Givens:

For weeks now, this Council has studied the questions of whether or not to create an authority to finance the improvements of our water and our sewer system. The Administration threw this complex issue into our laps and expected us to have a decision in just two very quick months — one of those months we were already in heavy debate over our own financial budget of 1984 — after they studied this plan, the Administration, for two years. We simply have not had enough time, but as voted in this Council today, you still do not want to give the Council enough time. But other people feel very strongly and very differently about this.

We even hired a financial consultant who just this morning explained to us the ways that we could save tens of millions of dollars through an alternative financing method. I've offered proposals — which I gave and was in your baskets this morning at 10:00 — modeled after a system in St. Louis and Buffalo to create an enterprise fund so that we could pay for the improvements as we go without incurring the long-term indebtedness.

I'd like to read a letter that was received just today from the American Association of Retired Persons. It was signed by Peggy Finklestein, Chairman, Legislative Committee.

"Dear Councilmembers:

On behalf of 1,000 members, I have been asked to convey to you our opinion that the proposal made by Councilman Givens in the Pittsburgh Press, February 5, 1984 and the Post Gazette today, as a compromise solution to the unacceptable water and sewage authority demands by Mayor Caliguiri has merit in our eyes.

We believe that the fur that has arisen over the rush to create a water and sewer authority indicates an aware electorate determined to preserve their rights and one determine through public meetings for progress reports to create a strong check and balance system in our government. We feel strongly that a person elected to represent the people for a four year term has no right to abuse the powers conveyed temporarily by the electorate.

To enact an ordinance that will place an unconscionable burden upon some electorate for 46 years after the term of office has expired is indeed an abuse of the power by both the Mayor and those Councilmembers who support the Mayor's demands."

They especially request that we listen and have an open mind and that we trust that if so, we will support the proposal. That is the one I just so indicated and I would like that entered into, Mike, the official record, it's full contents, because I think it's very important that it be viewed historically in that position.

This particular plan that I have proposed is a plan that our finance consultant suggested that the best method to do the work might be some combination of pay-as-you-go and this is what I had so submitted; pay-as-you-go with some possible small bonding because labor has come to all of us on this Council and said that they are hurting for work. I'm ready to give them that work. And this plan that I have proposed to you, Councilmen, and I dare to say that if I asked three or four of you in here what the five major points are, you

couldn't even say what it was or when it was even dated. That's a disgrace!

The big thing that the Administration has indicated to us is that no one has presented a plan, no alternatives. Well, here is an alternative. Where are we, Council, that we want to rush through this thing so quickly? And it does provide for labor in here some $13 million, if this Council so desires; $8 million which is sitting in the pot right now and $5 million which we could appropriate under a very short-term note. After the water rates then would increase, they would have additional monies and end up in 13 years versus 7 years with the same projects done but over half a billion dollars in savings. That is tremendous as far as I'm concerned.

These short-term bonds. The point is not which plan is better. If it's my plan, I don't care if it's better. If the Mayor's plan is better — Jack Wagner had some good input, other Councilpeople have input, Steve Grabowski had some good input, but we haven't had time to materialize them. My people were working on this for two hard months going the whole nation trying to find out where the better water systems go. It was amazing that about 42 years ago, this very Council went to St. Louis to look at an environment control problem that they had at that particular time and it was called Smoke and we had lots of it here in the smoky city of Pittsburgh. Our Council went down to St. Louis to find out what they were doing down there to abate their smoke and their particular environmental problem that they had a couple years later. That same Council approved that four or five years later under Davy Lawrence. It's very amazing why this Council can't go someplace, look at some systems, and make an intelligent decision of what is going on.

So I say, Mr. President, that we must have more time, regardless of what this vote was today, to study all of these possible alternatives. The savings to the taxpayers, and that's who we're to represent, could be two to three hundred million dollars. Think of that. Two to three hundred million dollars. But we need more time to study and make the right decision. We owe it to the taxpayers to be careful with their money.

You know, it's amazing over this past week and the fact that I had to run for an endorsement that I had talked to many of the Ward Chairmen, some 30 that I could count. All the Ward Chairmen in the City, with exception of about 2 or 3, that I spoke to on a personal basis asking them or they asking me, do not vote for this water authority. Every Committeeperson that I spoke to, do not vote for this water authority. All the people that I have spoken to in this City, do not vote for the water authority. Please, Mr. Givens, don't raise our rates. We are senior citizens; we are on fixed income.

What are we going to do, fellow Councilmembers? If we pass this, I feel we are letting down the taxpayers of the City of Pittsburgh.

I'll summarize very quickly, Mr. President, by saying this: This Council must be careful with the taxpayers' money because the Administration is not being careful with the taxpayers' dollar.

Under the Caliguiri Administration, we have seen the budget double in the last six years — we have gone from $126 million to our last budget here of $270 million — and watched the Mayor finance this enormous growth with a doubling of the earned income tax; the tripling of the property tax, and the Caliguiri Administration has more than

tripled, ladies and gentlemen, more than tripled the size of the Pittsburgh indebtedness since he's been in office. He has incurred $262 million in indebtedness.

If you just use the normal yardstick that we have been using to borrow $150 million, that puts us some $750 million that we're going to have to pay back. On top of this, we must look at the total City indebtedness which rose from about 6 percent up to almost 19 percent in a city representing some $750 million out there again. That totalling some almost $1.5 billion.

Why has our rating in the City of Pittburgh dropped? That's the reason it has dropped. Why does Dick Caliguiri want to get rid of this water department? So we can free it from the general revenue bonds, put it over there in the water authority and pay for it by the user fees. Well, I hate to tell you, the users aren't going to stand for it and we're going to go out and do more borrowing and more borrowing to pay the people who work in the water department. Otherwise, we'd be taking out of the general fund where I think it should be.

Now, we want to borrow more and hide the almost $500 million indebtedness in the bureaucracy of the water and sewer authority. How cruel! We need only to look at the operation of the transit and the Stadium Authority to see what kind of trouble we will be in if we get into this particular authority. We'll selling our future generations down the river if we approve the creation of this authority. Remember that in 1952, Mayor Davy Lawrence backed down from his proposal to create a similar authority because of public outcry after this Council, after this Council passed it. The citizens of this City went into his office and demanded that we not sell or give away or create an authority.

We cn this Council cannot be deaf to the taxpayers' cries for fair treatment. I, for one, cannot tolerate using taxpayers' money to finance political ambitions, whether on a local or state level. If we create an authority so hastily, we shirk our responsibilities to the people of the City of Pittsburgh. Ask the people to respond. This battle has just begun.

I would also like to have my remarks from Wednesday's session be added to today's session.

Thank you, Mr. President.

(BEGINNING - MR. GIVENS'S REMARKS ON BILL NO. 47 - WEDNESDAY, 2/1/84)

Mr. Givens:

I think dialogue is healthy, and I would like to call to the table in that this is the first time that Council, at least this Councilman, had a true opportunity to ask some questions that I feel must be answered as Jack Wagner is saying, that there are questions that must be answered, and if we could, I think I need at least two people, possibly three. One from Engineering, one from our Finance Department, and one of the consultants who wrote the financial report. If they could come to the table, we could have some dialogue back and forth. Mr. Cosentino, could you come back and forth. Mr. Cosentino, could you come down please? Some of the questions I must ask, must relate back to the old Water Department also.

I think some of these questions must be asked. No one right here can answer this particular question but the Council, but I must bring it up for discussion at the table. Despite Mr.

Bingler's last night's testimony, we still have distinct caution about authorities in our Charter. That is very evident in there. It's telling us something. The same month, this Administration has saw to amend our Home Rule Charter, this Administration has also ignored a warning in that same Charter.

The commentary in Article II, Section 219 cautions against formations of new authorities, and the question is how does the Administration justify contradicting the Charter? And maybe that question might best be answered by ourselves here. I don't know how you feel about it, but all the research I have done, I have some real good documentations where people have dug into authorities throughout the land and they're telling us, "Yes, you can have authorities. Yes you can borrow money, but if you do so, you're losing a certain accountability in this particular area." And do we want to give up that accountability? Does anyone want to make comment on that?

Mr. Schmeiser
Director
Department of Finance:

Well, I can comment, Dick. I asked Mr. Bingler to appear last night. I called him and his role as Chairman of the Home Rule Study Commission to see if that in fact was the intent of the Study Commission to prohibit future authorities. He assured me it was not; that that was not in the Charter. It was simply a commentary, and it was a compromise because there were two thoughts on the subject, and I don't think he made this clear in his testimony last night, but he told me that where it is beneficial to the City, it was not the intent of the Home Rule Study Commission to prohibit authorities when it would be beneficial to the City. It's clearly in our mind that this is.

Mr. Givens:

Well, the question I throw out then is, this historically going backwards, there have been at least two new authorities created since I have been on this Council, and the question was asked last night, and I have asked it before. You know, you can have an authority for the Department of Public Works for bridges, just anything you want to in Government. And we can give our whole Government away to authorities, and I don't know — and if I heard from the people correctly last night that they really want us to do that particular thing, but that is a question.

I think that there is no doubt that the Water Department must be regenerated. Evidence of those who worked in that particular department last night so indicated that it was given bottom row attention. Now it has come bite the bullet time.

The other question I have is the green International Study, the engineering report upon which our whole decision is based, characterizes the Pittsburgh water and sewer system as adequate, but in need of improvement. My question is why is it so — why in such a hurry on the first and only plan for an improvement considered. Why are we in such a big rush on this? You can say yes we have received these documents maybe in December, but we were in the middle of our budget, and we are now in the first of February, given 30 days of exploration into it, but many of the documents have just been brought to our attention, and why did we receive a report that was unsigned. That is not a valid report. I have not seen a signature, and I cannot look at that engineering report. It's a draft. And I cannot accept a draft report.

Mr. Berman
Green International:

In can address the second part of that question. As far as the signature of the report if you will, we submitted a draft report to the Administration on the fall of 1983. I'm not sure what the month was. It was August, September, October. We had asked for comments on a report. We received some comments, and we finalized a report and submitted the signed copy of the report on December 9.

Mr. Givens:

You're saying that the Administration has a certified signature copy?

Mr. Berman:

Oh, yes.

Mr. Givens:

Then why has this not been provided to Council?

Mr. Schmeiser:

It has been distributed.

Mr. Stone:

His question is the one with the signature on it.

MICHELLE MADOFF COMMENTS

MR. BERMAN COMMENTS

MICHELLE MADOFF COMMENTS

MR. BERMAN COMMENTS

MICHELLE MADOFF COMMENTS

MR. BERMAN COMMENTS

MICHELLE MADOFF COMMENTS

MR. BERMAN COMMENTS

Mr. Givens:

I have no problem with that. Is there any significant difference between the draft and this right here.

Mr. Berman:

Let me read one sentence out of this transmittal letter. "This final report submission reflects only those minor editorial revisions and additions to the draft report which were required for clarity." Minor editorial changes. The basic elements of this report are identical to that which was submitted in the draft report.

Mr. Givens:

See, nothing goes into law in this City unless the President of Council and the Mayor of the City of Pittsburgh, and possibly the Controller of the City of Pittsburgh sign the document. You know, we are working with an unsigned draft, and I felt that was -- we were at a disadvantage because the draft is a draft, and I appreciate what you're saying that there are minor technical changes, but I have to review this, and I'd want our engineering people to review it — at least Eddie Albert, who is our capital improvements/engineering experience, and I would like him to go through and review those technical changes. That is just a question I have to bring up, and I think you have answered that. And, Mike, I would like a copy of this, or if you don't have copies, to get them to all the Council members as soon as possible.

We still have to review, you know — that's much thinner document than you —

Mr. Berman:

The draft was double-spaced. This is single-spaced. That goes for the size. Just one comment. There were no technical — none — changes in the document. There were word changes and editorial changes. The drafters of the report have their own style of writing. I did the final review and changed some words around for clarity sake. There were no technical changes in the document.

Mr. Givens:

Okay. The other question I have is why has no one from the Administration discussed alternative plans with us involving a longer time, 15 years for example, and less hasty borrowing? We have asked for that. People in some of the sessions that I did not attend, but had representatives attend asked for this information. We had people who came in last night saying that they wanted this information. The Administration would give it to them, however, no one is in receipt of it. We have not seen any of the alternative discussions and dialogue that brought the Administration to the conclusion that this has to be done in this particular way, and I'm sure you've looked at those alternatives.

Mr. Schmeiser:

By alternatives, you mean extending the Capital Program beyond seven years?

Mr. Givens:

And different other methods you might have looked at and discarded for one reason or another.

Mr. Schmeiser:

We did discuss this as some depth last Friday, and I know you were out of town and couldn't attend that meeting.

Mr. Givens:

I have representation there.

Mr. Schmeiser:

Yes, and certainly that representative must have reported to you that we did discuss this. Again, this is upon the advice of our consulting engineer. His initial recommendation was that the improvements should be made over five years, and we extended it over seven years. I'll let him speak to it but in his opinion, seven years is as long as it should be done.

Mr. Berman:

In attempting to establish a Capital Budget from the engineering standpoint, look at two things. Number one, what has to be done, and number two, what time frame is reasonable in order to be able to actually accomplish the work, getting it designed and getting it built in an operation.

To the first point, what has to be done — our investigations, our tours of the plant and the pump stations, our discussions with the personnel of the Water Department and Public Works Department in our review of all the past records of sewer investigations indicated that there was a need to drastically increase the proposed City's six-year Capital Program. We looked at that. We felt that there would be a — that the amount of work that had to be done could in fact be accomplished in a five-year time frame. The more you compress that, the greater the impact on rates. The longer you stretch that out,

the less the impact on the rates. So, at the request of Mr. Schmeiser, we lengthened it somewhat.

It is an old system. It does need help, and the longer you stretch it out, the more the probability there is that something else is going to go wrong. There is no question the system will continue to deteriorate, and so you're asking for more trouble if you delay it longer.

Now, if you're going to ask me, as Mrs. Madoff has asked me once, is eight years all right, I can't say that seven years is a magical figure. Double it, or triple it or quadruple it, the probability is that something else is going to go wrong, and there is a possibility that a section of line might go out with some fire hydrants. There is a possibility that some of the valves that major ones on the pumping system, which probably haven't been operated in years may fail. So, in developing the seven-year program, we felt that the work had to be done. Seven years is a reasonable time to actually get it done but it's not a magical figure. I would not advise stretching it out too much.

Mr. Givens:

In reading the draft report, I did not see what areas of the City that you are going to work in. You just were generally — had so many valves of such and such a size and so many water lines of such a size, the Saw Mill Run was not addressed, which is a major issue before this Council and has been for many years. Do you intend if this thing is approved to come in with specific recommendations?

Mr. Berman:

The specific elements, many of them in the Capital Program are contained in just ongoing records in the Water Department. I think I gave Mr. Wagner a copy of a couple of those lists of which we called information, and the specific sections of water lines that are replaced are listed on there. Now, if we were to put all that in, we would have a report like this. (Indicating) The records are there. The background is there for the totals that are in the book.

Mr. Givens:

Has that been presented to our staff?

Mr. Berman:

I don't think so.

Mr. Givens:

See, these are some of the problems that I have. We do have a staff here, and they're people who have been in the Engineering Department and the Public Works Department and the Sewer Department for many many years with great expertise who could look at some of those and give this Council a feeling as to whether your engineering report is going in the proper direction.

Mr. Berman:

I might add this; —

Mr. Givens:

Could we get copies of what you just mentioned?

Mr. Berman:

I was just going to mention that all of the information that we had to work with came from the Water Department files. Now, we can either recreate it, or Mr. Cosentino could put it together. Either Way.

Mr. Givens:

Did you tell them exactly what areas needed to be replaced?

Mr. Cosentino:

Yes. We have the basic background information available.

Mr. Givens:

You have the historical background data of the City, what areas of the are most critical and in critical need of repair right now.

Mr. Cosentino:

That's correct.

Mr. Givens:

Is there any way that you can provide a chart within, like the six-year plan that denotes those areas, you know, and pencil them in, all the main streets of the City of Pittsburgh as to what areas are going to be hit on a first time basis, second time — do you have a six-year plan, or are we starting from peg one right now?

Mr. Cosentino:

Well, we had a six-year plan originally. This program reconstructs that plan and changes some of the basic elements of the original six-year plan. But we can put something together that can show you exactly how —

Mr. Givens:

I would like to see something, very simple, and pencil in the areas where we are having problems. Like Michelle shows you right here where the major 1,100 some water breaks occured in a short period of time. And we're probably going to the older areas of the City along the riverbanks.

Okay, I'll go on a little bit more if I might. Because this is a highly technical issue, should we not be considering alternatives in the same depth of details as we are the Administration plan to assure fairness for the current and future taxpayers, and the questions here would raise the rates, plus set aside trust and fair returns. An example is the hydro project alternative pay as you go — and there is an attachment handed out yesterday that we could do this whole thing, raising the rates without going into an authority but yet accomplishing the same thing taking a longer period of time and coming at the end of a seven-year period with almost $23 million surplus, you know, to work for emergency uses thereafter, otherwise, perpetual fund, based on the currect water rates that will be generated.

Mr. Schmeiser:

Dick, at the end of seven years, $85 million would be spent, according to the Ms. Rutkowski's proposal, whereas Mr. Berman has estimated with an inflationary factor, $188 million has to be spent, or less than half, and he just explained that prolonging these improvements could cause additional cost.

Mr. Givens:

Well, you know, that is an alternative plan, and I had to appreciate that in looking at the engineering plan, surprisingly the amount of water breaks as reported in our report, which is apparently historical from our Water Department indicated an actual downtrend as far as the number of breaks. No, I have to assume that weather has a lot to do with that. If you

have a very hard winter, you're going to have more water breaks. I don't care if you have a brand new system out there. Houston Texas experienced that this particular year when they had a hard frost down in that particular area.

These are alternative plans, and something that is, to me, very interesting to note, and should have been considered. There is an article in Monday's Post Gazette, they had an article questioning the Vice President of Moody's and Standard and Poor in which both officials said that a new authority would not necessarily get a better bond rating.

The question here then is if the Administration is being much of its argument for the creation of an authority on the expectation of a better bond rating, how do we reconcile that with more conservative judgment of these experts?

Mr. Schmeiser:

Dick, that article is very unfortunate because we spoke to one of the two people who is part of the article, and they said they were misquoted.

Mr. Givens:

Why wasn't that brought back into the newspaper.

Mr. Schmeiser:

The reporter was told the person indicated they were misquoted. The second person left for a conference and was out of town, but others in his office also indicated that information was incorrect in that article.

Mr. Givens:

Can we get a letter to that effect from the people from the — we're talking about the Vice President. Now, I'm sure there might be more than one vice president. Can we get a letter from the President then? These are the people that are going to make the final decision on what the bond ratings are going to be for this Water Authority.

Mr. Schmeiser:

I can assure you that you will not get a letter either way. They do not commit themselves beforehand.

Unfortunately, the reporter was inexperienced, and he probably asked the wrong questions and misunderstood the response.

Mr. Givens:

Well, I would ask the Post Gazette then, being they were the authors of that particular article, to call some of these people up here and see if they can get a rebuttal on this. It would be interesting to see if they will give a rebuttal. That is a question, and it's a serious one, and one I had to ask.

Another question, along that same line, is if in fact we would get a reduced rating, what then happens to the Water Authority? Will it be dissolved? Otherwise, we can do it in the City. If the City bond rating is good as the Water Authority, will we then dissolve that thing, and I can almost answer that question, and what I heard last night by that one attorney, Rosemary, that indicated that as soon as you indebt any authority, you cannot dissolve that authority until that debt is paid. If you take a 30-year bond, then we can't — even if that authority goes — or we want to get rid of it, we cannot dissolve it.

Mr. Schmeiser:

No, Dick. If the City, they want to dissolve or terminate the authority, they have 90 days to do so. It is true they have to pay off the bonds that are outstanding. In other words, the City would have to have a bond issue to defease the debt that is outstanding in the authority.

Mr. Givens:

But then what type of situation would you be in if you get a hypothetical one where the bond rating is not bad right now, but when that would occur, you would be at a very distinct disadvantage to go out on the bond market and try to borrow at that specific time. That's a reality that we have to face.

Mr. Schmeiser:

Well, just as the City is today, at a very distinct disadvantage of borrowing this money.

Mr. Givens:

Another question that did come up indicates that the City population is expected to increase, and thus there will be an increase in the number of water customers, but the Pennsylvania Department of Education predicts that our population will continue to decline through the year 2000, and they apparently talking to at least that department and other people in the census bureau indicate that they seem to have a better handle and their predictions have been more accurate than others. How can you say that we're going to increase in population when the school district indicates we're going to decrease?

Mr. Berman:

The increase that has been projected in our report is based on population forecast prepared by the South Western Pennsylvania Regional Planning Commission. They are the official State agency that does the population forecast for this area. That's where the figures came from.

Secondly, the population increase, although it is a plus, is very minor, and I don't know what the Department of Education's decrease figures are, but I am assuming they are going to be relatively minor also. In effect, whatever possible small increase or decrease in population there will be in the City in the next ten or fifteen years is not going to impact too much on either the amount of water used by the residents of the City, so it is almost a moot point.

Mr. Schmeiser:

Also, let me say that the population increase or decrease is more important with the financial forecast, as projecting revenues, and there Price-Waterhouse used zero population growth.

Mr. Givens:

That's fine, but what if the City increasing water rates projected in the seven-year program causes conservation on the parts of the users, that is the residents of the City of Pittsburgh, and I didn't see that figured in on some of your calculations.

Mr. Berman:

We did not anticipate any major conservation efforts being undertaken by the 400 and some thousand to get large numbers of people to do something with their plumbing which is going to decrease

water. We just don't think that that is going to be any meaningful change in water usage. I don't think you can compare that to the Port Authority's problem of increasing rates and decreasing ridership which eventually does go up. I just don't think that is — that's about as small a difference in percentage as the change of population is going to be.

Mr. Cosentino:

I would like to add to that also. Back in 1982, when we raised the rates 50 percent, we didn't see any noticeable change in water consumption, and there wasn't any action that would have indicated conservation back then, and that was a sizable increase in rates.

Mr. Schmeiser:

Also, I think our West Penn customers, I don't think there is any evidence that they conserve water although, of course, we subsidize them. It doesn't matter what they use.

Mr. Givens:

See, when that 50 percent rate increase did come two years ago, it was whether or not it was going to be taken out of wages, real estate, or your water rates, and the 50 percent increase in water rates because our water rates were extremely low, and that is good information. I didn't know whether or not our flow rate went up or down. You said it remained somewhat the same. How can you say that when in the report it indicates that the metering that we have at the pumps are not accurate within 30 percent?

Mr. Cosentino:

Well, the accuracy can be questioned, but they do read consistently. Now, whether they are right or wrong is the question, not whether they are reading consistently.

Mr. Givens:

Well, then let's go back then to the actual customer itself, not with the rate increase, but did the water amounts remain the same?

Mr. Cosentino:

Water amounts remained about the same, yes.

Mr. Givens:

And as Jack Wagner said last night, he asked a very simple question, and I know the water rates as you consume more water, your rates go down, that means that the residents of the City of Pittsburgh, the homeowners are paying more than say the major institutions within the City of Pittsburgh. How can we justify that?

Mr. Cosentino:

Well, the City has historically had a declining block structure for the highest user pays the least amount in terms of the unit cost. That policy is certainly a policy that we can look at in the future and try to change.

Mr. Givens:

I'm just about completed with my questions. I have about two more major questions.

In any program of this magnitude, we must be certain that the taxpayers' money is being spent wisely. My question is that in the Administration's seven year program, what percentage of the total money will be for construction cost; that is, in the ground?

I'll give you an example. We say there is going to be $150 million in construction and $350 million financed. How much say, per million dollars, if we give you, this Council $1 million, how much of that money is going to be put in the ground?

Mr. Schmeiser:

Are you counting engineering costs?

Mr. Givens:

The total cost to the borrowing of the money over the program, and the total cost of everything. I have been given a figure of $1 million that we borrow, only $225,000.00 will be actually put in the ground. Meaning that we will go in and replace a pipe or valve, and if that is the cost of borrowing, should we not be thinking of other alternatives. That's why I initially brought that first question up.

Mr. Schmeiser:

Well, interest is not a financing cost. Interest is the cost of borrowing money. You're being able to do the improvements today because if you don't do it today, it's going to cost more for nothing more than inflation, and secondly, because additional deterioration could make it more costly. So, I know that that has been menticned over and over again in these public hearings, but interest is really not part of that.

Mr. Givens:

I can't believe that 80 percent of any money that we borrow, when we think of what the total cost — I'm saying that if we borrow $150 million, what is it giong to cost us —

Mr. Schillo:

That does't include the interest you pay off over the years —

Mr. Givens:

But when you include the interest and the bond and the consultant fees and the engineering and the management then, is that $225,000.00 out of $1 million in the ground, is that a true and a realistic figure?

Mr. Schmeiser:

You can't consider the interest. We're going to be paying back that money with interest over 30 years. Think of what inflation has happened the last 30 years. Today, we probably have .20 dollars compared to what it ws in 1954. And if inflation continues, that's what will happen. We will be paying back in .20 dollars. Now, if inflation does not continue, and hopefully it won't, those interest rates will come down, and we will be able to refinance at lower interest.

Mr. Givens:

And you're saying this is cost effective to do it this way?

Mr. Schmeiser:

Absolutely.

Mr Givens:

Versus in just raising the water rates on that .other plan that was submitted to us and using it as a model to raise money, but we're doing it through the taxing bodies, mainly the City of Pittsburgh, and any other monies we might be able to receive from the Federal Government to update our interstructure.

I can't see any City in the Northeast or any City in the country doing this by themselves. It's almost an impossible task. I think Mr. Pease indicated what it was going to cost just to — in the billions of dollars to take care of the interstructure system. And that is just the front money. And then you add all the interest and the fees generated from that, it's just going to be ten-fold, and I'm just asking that specific question. In your mind, do you feel this is cost effective?

Mr. Schmeiser:

Absolutelv.

Mr. Givens:

Thank vou.

The last question was the last time that Council has such a complicated issue, we created a commission to study the alternatives of cable television in Pittsburgh. I think that we need a study commission to further analvze the many unanswered questions and to protect the taxpayers. My question will then be what is the administrative position regarding the formation of a similar study commission to survey the alternatives?

Mr. Schmeiser:

Well, I know that the Administration has a position on this. I personally don't see the need for it. We have been over and over and over again. We dealt with consultants that Council brought in. We have had meeting after meeting with — this has been going on for several years, and I don't know what else can be brought out.

Mr. Givens:

Well, Ron, I have to indicate that we asked for alternatives, and yet you know, there were none given to us. In the cable TV, which was almost like another utility, this Council sits as a somewhat utility commission in that we have the reponsibility of raising the rates of the subscribers of the cable TV. We labored over that and had a commission, and it took two or three years before we came to a conclusion, and Sophie worked very had on that particular commission, and yet they indicated, what was it, $28 million to build a system, which took more like $50 million or $60 million, but here we are talking about $150 million, and this is a seven year period, and yet it wasn't even our money that we were using. We just wanted to see that our people got a fair shake. That's all that we want to see now; that our people out there, our taxpayers get a fair shake. If we're going to do something, why not a type of a commission. You answered that very quickly. You didn't even give it a thought, but yet it was something that was dealt over to very heavily in the cable franchise.

Mr. Schmeiser:

I don't think that's a good analogy. The Commission, among other things, had to decide among four or five competitors. That was a good bit of their deliberations. I don't think it is a good analogy at all to this situation.

This has been studied for several years. We have had the best talent available, and I think we have responded to all of your questions. I frankly resent that there are unanswered questions. I think we have responded to all of your questions. The other alternatives are more costly. We have certainly looked at them. This is the least costly to the taxpayers. We are as concerned as you are of the taxpayers and the water users in this City.

Mr. Givens:

See, I think you know, Ron, these particular alternatives that you use. We asked for information on that at the Friday meeting. None of that has been forthcoming. Why is that?

Mr. Schmeiser:

At that last Friday meeting, we did present to your consultant the effect of the other alternative which they raised. Each one was more costly. Dick, at that time, we said there were three objectives in setting this up. One is to have the highest bond rating available for the authority. Second is the highest bond rating possible for the City. And third, the lowest cost to the water users. And any other alternative that has been raised is more costly.

Mr. Givens:

Okay. We decided to go into this particular water authority, and yet we have Mr. Pease who came in here from the Allegheny Conference last night and indicated that the conference was doing a total study of the water and sewer and the infrastructure system of, I assume, at least Allegheny County and which probably overlapped in the South West Regional Planning in Pennsylvania. Why can we not wait until we see the outcome of that particular report and can we sue that as a basis to help us along. Here is the major corporations, the best engineerings, the best think tank that probably any city or county has. Why don't we use these people and wait to see what they report?

Mr. Schmeiser:

I couldn't agree more because two members of that committee are Don Berman and myself.

Mr. Givens:

Well, they're indicating this report —

Mr. Schmeiser:

Don Berman was the Chairman of the Water and Sewer Subcommittee of that task force.

Mr. Berman:

If I may. The Economic Development Committee, the group that Bob Pease was talking about last night, and the Infrastructure Task Force are taking a look at the total infrastructure problem in a six-county regional. It's not only a very wide geographically region, but it's a whole series of problems. And there will be no specifics of coming out of that report. That's a kind of a long-range program of what might have to be done in this area to assure us of an increased interest in the industries and commerical establishments moving into the area. It is much more of a planning study long-term, than it is going to be any specific of dollar amounts or anything else.

The road and bridge program has been fairly well defined through the efforts of the City, the county, the state. The airport costs have been fairly well defined. The locks and dams problem is a major problem, and the Infrastructure Task Force is discussing that with Dynamo, the river group. It's when we get into the sewer and water area that there really is no definition of a problem yet. This is probably the most defined — the best definition of a small part of the whole infrastructure problem in the six-county region. I don't see any definitive information coming from the Infrastructure Task Force.

Mr. Givens:

Well, Don, you bring out one of the exact points that I just indicated, and that is, can the City of Pittsburgh go into our water and sewer system by ourselves with the amount of money that is indicated that we're only looking at the tip of the iceberg here when we say $150 million to upgrade our water system. It's going to upgrade it for the seven-year plan. And we know that we are going to have to go beyond that seven years and continue that upgrading process.

We looked at our sewer system, and we got a multi-million dollar project just in the Saw Mill Run. Now, you mentioned the airport and bridges. All of those, the Federal Government subsidized the City of Pittsburgh and Allegheny County to the tune of 80 and 90 percent of the total money. Why can't we in this City then use that same philosophy on our water and sewer system?

Mr. Berman:

Because there are no federal or state funds.

Mr. Givens:

Well, this is not only happening in Pittsburgh, it's happening throughout all of the older cities including San Francisco, New Orleans, St. Louis, Chicago, Pittsburgh, Cleveland, New York, you name them.

Mr. Berman:

And each one is struggling with this problem just as City Council is struggling with it now.

Mr. Givens:

Then what happens when the Federal Government realizes what is happening, when they tackle the interstructure of our bridges and roadways which, I think they have done a tremendous job, especially in this area, but when I look at this area compared to other areas of the county and the dollars that had been put into our area, I think we are still at the bottom of the barrel, but I think can we not wait and put pressure on our congressional delegation, both our Senate and the House, to ask for assistance here and take the burden off of our taxpayers.

Mr. Berman:

It seems to me that which ever way the City decides to go, that that money will be available if it is going to be available, if Congress does pass the law and there is an appropriation and the funds do start to rule, that whether there is an authority, whether it's City Council, whether it's a revenue bond issue, those monies will be available to any public body that applies and is eligible for applying now.

Mr. Givens:

Should that not tell us to hold in for a little while and when the Allegheny Conference comes out with their final report, you have something to gavel with?

Mr. Berman:

The Allegheny Conference report is not going to assist the City in this problem right now, whatever monies are available.

One more comment. In any federal grant, there will still be a local share. And that local share should still

be minimized. Now the question before Council is which is the best way to minimize that.

Mr. Givens:

Well, these are some of the questions I have. I have one more, and then I will be finished. You know, we look at our current Water Department, and I have to address this to Mr. Cosentino, that one half of the projects, 44 percent, when the amount of money is between — well, let me go back. For the past four years, '80, '81, '82, '83, this Council appropriated the Water Department some $13 million, actually 13 and a half, to upgrade our water system. In that period of time, you have only utilized about $6 million, less than half. There are $7.5 million unspent or 44 percent.

Now, if we give you over a seven year period, even if it's a Water Authority or not, using the same engineering staff, I can't convceive that you're going — if we give you $150 million with the same engineering staff, how can you assure this Council that you're going to be able to complete these projects?

Mr. Cosentino:

Well, I don't know the origin of those figures, but all the projects that we have had for the past four years, since I have been involved, have either been constructed or committed. There are no projects that are outstanding at this time. Not one.

Mr. Givens:

Ed, where do we get these figures from?

Mr. Albert:

They're taken from the Controller's printouts on unrestricted and

Mr. Givens:

When you say unspent $7 million or so, does that mean there has been some type of a — has there been any type of —

Mr. Albert:

The $7.5 million is unrestricted.

Mr. Givens:

Not committed. No legislation has come forward to commit that amount of money, and that came from the Controller of the City of Pittsburgh.

Mr. Albert:

Right.

Mr. Givens:

Thank you. That's all the questions I have.

(END - MR. GIVENS' REMARKS - 2/1/84)

(REPORT REQUESTED BY MR. GIVENS)

MEMORANDUM

February 6, Monday, 1984

RE: Compromise Proposal to Water System Improvements

TO: President and Members of Council

FROM: Councilman Richard E. Givens

1.-WATER CONTROVERSY

The Administration's proposal to create an authority to improve the water and sewer systems in Pittsburgh has generated a considerable amount of public debate. The Mayor should be commended for the public leadership and political courage it took to confront the serious infrastructure problems within our deteriorating system. It is not easy to talk about rate increases for underground improvements. But after intense weeks of study, research, briefings, public testimony, media debate, and professional consultation, I think there is a practical alternative to remedy the problem.

2.-GOALS

I asked myself three questions: first, is there a cheaper way to finance the needed improvements without so greatly increasing our indebtedness? Second, is there a way to keep our elected officials accountable to the voters for the operation and rate levels of our water system? And third, is there a way to improve the integrity of the management of our water system? After further evaluation, I believe the answer to each question is 'YES'.

3.-NATIONAL SURVEY

With these goals in mind, economy, accountability, and integrity, my office conducted an informal national survey to understand how other municipalities of similar size deal with the management, structure, and operation of their water systems. We spoke with directors, commissioners, deputy supervisors and other administrative personnel of municipal water departments in twelve (12) cities of comparable size to Pittsburgh. The essential information is reproduced in appendix A. From this survey I was able to conclude that most cities of our size maintain a regular city department or division to manage their water systems. These included Atlanta, Kansas City, Cincinnati, Cleveland, Columbus, Toledo, Nashville, and Seattle. There were four cities with other structures. Denver was an unusual case with its board of water commissioners established in 1918. It was not helpful as a comparison with Pittsburgh because of the unique water distribution problems of communities served by the Colorado River and the federal involvement in diverting some of that water to other western states. But Oklahoma City, Oklahoma is an example of an existing system similar to what the Administration is proposing: a dual system with a water department for daily operations and an authority to finance capital improvements. But this is not exactly analogous to the Administration's proposal for Pittsburgh. Oklahoma City has had this dual system since the early 1900's because of a city charter that sharply restricts the debt the city can incur for water system improvements. And while that Oklahoma City Municipal Improvement Authority is a vehicle to finance water system projects by selling bonds, it must still have all bond issues and rate adjustments approved by the City Council. This vital check and balance on the rates is not included in the Administration's proposal. A significant difference. This brings us to the final two cities, Buffalo and St. Louis, and their practical alternatives that maintain accountability and insure greater integrity for the management of their water systems.

4.-ENTERPRISE FUND

Buffalo and St. Louis have set up enterprise funds in which their water systems are managed as a regular division of city government. All water revenues are segregated from the

general budget and must be used exclusively for the water systems. Rate adjustments must still be approved by the City Council in both cities. St. Louis has an additional safeguard to insure public accountability, the board of standardization, comprised of the Mayor, the President of Council, and the City Controller. Again, our Mayor and his administration must be praised for their foresight in realizing that the only way to insure the efficient operation and improvement of our water system is to separate this vital function and revenue source from the rest of the City's budget. But, I believe, they overlooked the alternative of establishing an enterprise fund that retains the accountability of elected officials for rate increases and the general management of the water system. Buffalo converted to an enterprise fund in 1962, while St. Louis' enterprise fund and board have existed for decades, since before the second World War.

5.-THE ST. LOUIS MODEL

Having traveled around our nation extensively, I was always struck with the similarities between Pittsburgh and St. Louis. In the comparison of our water systems, it is even more striking. First, both are river cities, with a rich natural resource flowing right through the city. Beside the comparable populations, our weather conditions and typography are similar. Their water system, like our own, has sections over 100 years old. St. Louis has 1300 miles of water lines while we have about 1200 miles in our system. St. Louis serves 110,000 city water customers hwich is very close to our own 113,000 customers. To all of these parallels add one more: we have the same form of municipal government with a Mayor, Council, and Controller. These numerous similarities invited a closer examination of their water system management. In addition to the creation of a self-sistaining enterprise fund with a construction reserve to pay for capital improvements, St. Louis' board of standardization increases political accountability by having the Mayor, the President of Council, and the City Controller oversee the operation of the water division. An authority as created in the Administration's current proposal decreases the accountability of the elected officials for such things as indebtedness and rate adjustments. This is exactly what our home rule charter has cautioned against. One final point about the St. Louis system. They are able to finance most of their capital improvements to the water system through their construction fund without selling bonds. Bonds and indebtedness to improve the St. Louis water system are the exception and not the rule.

6.-APPLICATION TO PITTSBURGH: PAY-AS-YOU-GO

Can a system similar to the one used effectively in St. Louis work in Pittburgh? Appendix B demonstrates just how a Pay-As-You-Go enterprise fund would work in Pittsburgh. My office has had several consultations with Hydroproject, Shadyside Consulting Engineers, who have worked on water and sewerage systems in Pennsylvania and West Virginia, have had experience and authorities, and completed work at our own airport. Hydroproject uses the same information projected by Price Waterhouse regarding rate increases, revenue, and expenses and demonstrates how we can establish an enterprise fund in Pittsburgh (accompanying legislation would be needed to authorize this change). Because the rate increases set by the Administration would generate a tremendous amount of revenue after 5 to 7 years, a construction fund could be slowly built up, as in St. Louis and Buffalo, that could fund capital improvements on a pay-as-you-go basis,

over $23 million after the first seven years without any long-term indebtedness. $150 million worth of work would cost $150 million, not the $500 million (½ billion) proposed under the Administration's plan because of bond financing and interest charges. The basic difference between these two plans is time: the Administration plans on completing the work in 7 years; I am suggesting spreading the needed improvements our over 13 years. But a key question is whether that 7-year plan is a relatistic goal. Can the Administration achieve such a massive improvement program within 7 years? A study of the past performance raises serious doubts.

7.-PERFORMANCE RECORD OF WATER DEPARTMENT ON CAPITAL PROJECTS

Over the past four years, the water department has spend on ly 44%, less than half, of the money borrowed for its capital projects. Appendix C shows the amount of the water department's unrestricted balance as recorded in the Controller's report as of the end of 1983: $7.4 million of unspent money is laying in the bank from past years' bond sales. Appendix D illustrates the value of bonds sold for water projects over the four years from 1980 to 1983, totalling $13.4 million. Only $5.9 million has been spent or encumbered, just 44% of the total monies available. The Administration has taken steps to consolidate engineering functions in a new department; this should account for some improvement in the rate of completion. But in the Administration's 7-year plan, the amount of monev and work is triple the largest amount earmarked for water projects in any recent year (see Appendix D, 1982 figure). And most importantly, this tripling occurs not just for one year, but for 7 consecutive years. Can they really do it? Even though there is a restructuring, the directors within the Administration have testified that they anticipate no substantial new hirings in the water department, the department of engineering and construction, or the proposed water and sewer authority, for the immediate future. We, on Council, have seen numerous cases of capital projects not completed on time. For these reasons, the Administration's 7-year improvement plan will, in actually, take 10, 12, or maybe, 13 years to complete. 13 years? That's how long it would take us to create an enterprise fund to finance the same projects without incurring the enormous amount of long-term indebtedness (see Apppendix B). We could do the same amount of work in about the same amount of time, but save the taxpayers of Pittsburgh about $350,000,000 if we set up an enterprise fund modeled after the pay-as-you-go system currently operating in St. Louis.

8.-ACCOUNTABILITY AND FLEXIBILITY

I think we should adopt the St. Louis model of enterprise fund overseen by a board comprised of the Mayor, the President of Council, and the City Controller, in which all rate adjustments would still need City Council approval. This would increase accountability by placing the operation of our water system squarely on the shoulders of all elected officials in Pittsburgh. Also, this system is more flexible than the Administration's proposal. The Administration's water and sewer authority envisions the selling of bonds and long-term indebtedness as the only way to finance the needed improvements. But the St. Louis enterprise fund, applied to Pittsburgh as illustrated in Appendix B, would create a solvent construction fund to pay for improvements as we need them. And if

we needed to, we could inject the system with intermittent capital funds through a small issue of water revenue bonds. This might be a feasible plan in the first year or two of the proposed enterprise fund to get the capital improvements underway. So, we might still be able to accomplish another of the Administration's praiseworthy goals, namely to stimulate our sagging local economy and create jobs now, but without locking ourselves into a ½ billion dollar indebtedness over the next 30 years. This is the kind of flexibility provided in the St. Louis model. And with the creation of a board comprised of the Mayor, the President of Council, and the City Controller, nagging problems like the Saw Mill Run drainage complications, the purchase of West Penn Water, and the sale of surplus water of surrounding municipalities could not be lost in the layer of bureaucracy created by another authority. Elected officials have to be sensitive to these kind of problems because we must face the taxpayers in the voting booth.

9.-HISTORICAL PERSPECTIVE

There are a couple of important lessons to be learned from Pittburgh's recent history. In October of 1952, some thirty years ago, City Council approved an ordinance, recommended by then Mayor Lawrence, to create a municipal authority to purchase and reconstruct Pittsburgh's deteriorating water supply system. But public outcry was so strong against the creation of an authority that the Mayor never instituted his plan. Lawrence, ever sensitive to the citizens' concerns, took alternative measures to improve our water system.

And some forty years ago, when I was just a child growing up in Lawrenceville, Pittsburgh was faced with a serious environmental and health problem, air pollution. In February of 1941, eight City Council members traveled to St. Louis to study that city's successful air clean-up program and went on to start our own smoke-control program here in Pittsburgh. Today, faced with another major environmental and health problem, our water and sewer system, it is ironic that we should be looking toward St. Louis again for an example of an effective solution.

10.-CONCLUSION

I trust you are interested in this common sense compromise. Of course, we need more time to study the St. Louis model and its application to Pittsburgh. But if there is a chance to save our taxpayers $350,000,000 and create a more economical, accountable, and efficient water management system, we owe it to the people of Pittsburgh to examine this alternative closely. Water is one of Pittsburgh's greatest most precious natural resources. We must manage it wisely.

cc: Richard S. Caliguiri, Mayor
Tom Flaherty, City Controller

APPENDIX A

COMPARISON OF WATER SYSTEM MANAGEMENT IN

CITIES OF SIMILAR SIZE

CITY	1980 POP. TREND	WATER SYSTEM MANAGEMENT	NO. OF MILES OF WATER LINE
PITTSBURGH, PA	423,938	Water Department	1,200
ST. LOUIS, MO	453,085	Enterprise Fund With Board of Standardization	1,300
BUFFALO, NY	357,870	Enterprise Fund	800
OKLAHOMA CITY, OK	403,213	Water Department & Mun. Improvement Auth.	2,100
DENVER, CO	491,396	Board of Water Commissioners	2,130
ATLANTA, GA	425,022	Water Department	2,300
KANSAS CITY, MO	448,159	Water Department	2,000
CINCINNATI, OH	385,457	Water Department	4,100
CLEVELAND, OH	573,822	Water Division Of Public Utilities Dept.	3,000
COLUMBUS, OH	564,871	Water Division Of Public Utilities Dept.	1,800
TOLEDO, OH	354,635	Water Division Of Public Utilities Dept.	1,100
NASHVILLE-DAVIDSON, TN	455,651	Water & Sewer Dept.	2,200
SEATTLE, WA	493,846	Water Department	1,800

1. Established in 1918 because of unique water distribution problems of communities served by Colorado River and federal involvement in diverting water to other western states.

2. Maintains the water system management as a division on municipal government in which all water revenues are segregated and used exclusively for water system while rates still must be approved by Council. St. Louis has an additional board comprised of the Mayor, the President of Council, and the Controller to oversee operations.

3. Includes water lines throughout served county.

4. Combination in which department operates system and authority is vehicle to finance capital projects. The MIA can sell bonds but must have all bond issue and rate increases approved by the City Council.

APPENDIX B

FINANCIAL ALTERNATE A

Using same rate increases as required to complete proposed 7-year program and assuming the same amount of construction No Bonds Issued - Work completed in 13 years - No debt at end of program and $23,220 available annually for further construction or rate decreases

(000's omitted)

Projected by Price Waterhouse

	(8-mo.) 1984	1985	1986	1987	1988
Rate Increase	20%	19.5%	18.5%	16%	14%
Operating Revenue	15,249	27,926	32,827	38,081	43,411
Operating Expenses	17,185	24,519	26,028	27,678	29,455
Revenue Available	(1,936)	3,407	6,799	10,403	13,956
Transfer to Emergency Construction Fund		500	750	750	1,000
Transfer to Construction Fund	(1,936)	2,907	6,049	9,653	12,956
Capital Contrib.	4,000				
"Fair Return"	2,199	989	1,162	1,552	1,886
Interest earned on Emergency Const. Fund (8%)		40	100	160	240

Total Available for Construction	4,263	3,936	7,311	11,365	15,082

Con't.

	Projected by Hydroproject				
	1989	1990	1991	1992	1993
Rate Increase	15%		14.5%		
Operating Revenue	49,923	57,161			
Operating Expenses	31,369	33,408			
Revenue Available	18,554	23,753	23,220	23,220	23,220
Transfer to Emergency Construction Fund	1,000	1,000			
Transfer to Construction Fund	17,554	22,753	23,220	23,220	23,220
Capital Contrib.					
"Fair Return"	1,200	1,200			
Interest earned on Emergency Construction Fund (3%)	320	400	400	400	400
Total Available for Construction	19,074	24,353	23,620	23,620	23,620

Con't.

	Projected by Hydroproject			
	1994	1995	1996	1997
Rate Increase				
Operating Revenue				
Operating Expenses				
Revenue Available	23,220	23,220	23,220	23,220

Transfer to Emergency Construction Fund				
Transfer to Construction Fund	23,220	23,220	23,220	23,220
Capital Contrib.				
"Fair Return"				
Interest earned on Emergency Const. Fund (8%)	400	400	400	400
Total Available for Construction	23,620	23,620	23,620	23,620

APPENDIX C

Apr515 (Report 4)

CITY OF PITTSBURGH

CONTROLLER'S OFFFICE

BOND FUND

CASH SUMMARY REPORT (AS/OF: 12-83)

DEPARTMENT/DIVISION	RESTRICTED BAL.	UNRESTRICTED BAL.
05 - WATER	.00	7,459,142.38
00 - BOND FUND	.00	.00
01 - TANKS	10,850.00	.00
02 - TANKS	.00	.00
05 - WATER TREATMENT PLANT	41,000.00	.00
06 - PUMP STATIONS	2,510.00	.00
10 - CLEAN, REPAIR, CEMENTLINE, WATERLINES	35,633.63	.00
12 - WATER LINE PROTECTION	.00	.00
15 - RELAY WATERLINES	304,868.53	.00
20 - WATERLINE WORK (DPW)	688,675.59	.00
25 - NEW SUPPLIES	4,992.50	.00
30 - OTHERS	49,680.69	.00
DEPARTMENT TOTAL	1,138,210.94	7,459,142.38

APPENDIX D

WATER DEPARTMENT PERFORMANCE

YEAR	VALUE OF BONDS SOLD FOR WATER PROJECTS		VALUE OF PITTSBURGH BOND ISSUE FOR ALL PROJECTS
1983	$3,887,000		$53,000,000
1982	$6,900,000		$59,000,000
1981	$1,750,000		$37,000,000
1980	$ 873,500		$15,750,000 - short-term note)
	$13,410,500	4 Year Total	
	- 7,459,142	* Unrestricted balance of Water Department i.e., unspent & uncommitted money	
	$ 5,951,358	Spent or otherwise encumbered	
	$ 5,951,358 / $13,410,500	= .44 or 44% of monies actually spent for water projects over last four years	

* As of 12/83

(END OF REPORT REQUESTED BY MR. GIVENS)

The Chair:

The Chair would only like to ask one question. For those of you who want to speak, if we're going to give a speech during our vote, can we compromise one way or the other?

Michelle Madoff:

I'm going to do it now and I hope that you'll grant me under Robert's Rules, I'm entitled to ten minutes twice. I'll try to make it ten minutes once.

The Chair:

Fine.

Michelle Madoff:

On November 29, 1982, I shortly thereafter went to see the Mayor of our fine city and said, "Dick Caliguiri, I have just completed a study that shows that we have 1,126 major water breaks - not leaks, breaks - in the last 21 months. Rather than having the media come to you and say, 'What about these leaks, Mayor?' and having you be surprised, let us work together to solve the problem."

In my press release as statement to the Mayor, I said that I would hope we would look at alternatives, not just a water authority.

Subsequently, on July 27, 1983,

and for the record, a motion was made to look at a water authority by the Administration. I'd like to read an excerpt from that meeting.

"Mr. Woods:

So moved.

Michelle Madoff:

Discussion. Can someone come to the table, please?

This is strictly the fiscal aspect of the recommended study or the fact-finding that was presented by Greene Engineering on what are the conditions of the lines and the sewers. We're not going to have 'some expert' give us an opinion of what direction we ought to take in going to a way of solving the problem or repairing the water lines and we will not necessarily have an authority, not necessarily any fixed mechanism but come up with some recommendations.

Mr. Schmeiser
Director,
Department of Finance

That's correct.

Michelle Madoff:

I would like to know that Council has some input in those meetings they have with you, meaning the Administration, because I don't want to go back to the old position of, "Listen, we want a water authority and tell us that we want one." I want to know that some of us, like myself, are privy to sit in on some of the negotiation meetings or discussion meetings. I want to know what's happening as it's being discussed, how you come to the conclusions as we did in the situation with the steam heat plant. I want to know how you arrive at whatever conclusions.

Mr. Schmeiser:

I understand.

Mrs. Masloff:

I second the motion.

WHICH MOTION PREVAILED."

What happened is that we had decided that we would not look at only an authority but we would look at many alternatives. On the air, in front of thousands of people listening, four members, the underwriters, the people who are getting to make the money on selling the bonds, Blythe Eastman, the gentleman who represented Blythe Eastman who testified here, Starr. Mr. Starr, when he was pressured by our consultant by refuting some of the facts, responded with, "Well, frankly, I wasn't asked to look at anything else but an authority. You're asking about apples and oranges. I only looked at apples." Well, we voted in this Council that we don't look at apples; we look at oranges and pears and peaches and bananas and everything else. But he said, and it is a matter of taped record, that he only looked at an authority.

When Mr. Schmeiser was questioned on the issue of going to alternative methods and our consultants for counsel using the exact data provided by the consultants to the Mayor, that would be both Green and Price Waterhouse, using their numbers so there would be no dichotomy, came up with an alternative plan that would save $230 million. The original plan only went for 5 years and didn't extend to the full 8 years.

In response, Mr. Schmeiser said, "We have something better than that.

We have a lot of great ideas on programs and on financing."

We are being asked to vote today on whether we have an authority which is not the issue, or whether we don't have an authority. The issue is, are we going to present the fiscal aspects in the best possible method of saving the taxpayers' dollars.

Personally, I don't support an authority. I don't support it because I don't believe as elected officials we should turn over the decision making process to when rates are raised and to what degree based on history of other authorities where sometimes they're doubled by a fact or ten, not by a fact or two. Using the present rates proposed by the Administration, taking them at 5 years for every hundred dollars that you pay in water bills right now, you will be paying $312 at the end of 8 years. If we go to the proposal. made by Mr. Lopus and Martin Margolis who are our counsel, Financial Management Services of Harrisburg, who only today at 11:00 with nine members of Council present, did an interpretation of the proposal and have, I think, a lot of people listening to his conclusions or his suggestions, said, "I only compared apples with apples but if I'm allowed to go to apricots and pears I may come up with something better." We're talking about $230 million that can be saved the public after 9 years.

Now, let's go back a moment. There is a book that was given to us in the Mayor's Office where Mr. Matter practically threw the budget at me at the time that I found 65 people in the Capital Budget that belonged in the Operating Budget and said, "You don't even know what page your salary is on", — and I think that's a credit to me — but when we discussed this book, he said I knew that there was going to be a water authority; we were briefed in the Mayor's Office. Sure, they presented a water authoritv but did not look at the other alternatives. In this book, City of Pittsburgh, Water and Sewer Capital Financing Alternatives, Blythe Eastman, Paine and Weber, and we turn to Section C that said, "Evaluation of Financing Alternatives" — Can you believe that folks? Is anybody looking? It is one, two, three, four, five, six, seven, eight, nine, ten, lines and there are only about four words on each line. What are the alternatives? General obligation bonds, City revenue bonds, water authority bonds, and no financing plan. We know that there are plans by Mr. Givens. Some of the ones that I've come up with, I'm not married to my plan, some of the ones by experts like Mr. Lopus that can save this City $230 million and not change one iota of the financing.

We could still go to an authority, even though I oppose it; that would be the decision of this Council, yet you're asking us to vote today. One has only got to be very suspicious when that telephone is coming off the hook and there are thousands and thousands and thousands of people tying up the lines saying, "No authority; do not vote for this now."

Furthermore, we have had a position that our water rates are very low and numbers are thrown at us. The other day at a hearing we were told that West Penn Water customers were not 30 percent of the City population; they were only 18. In verifying that number today with Mr. Wagner, within the last hour, Mr. Wagner, was it not close to 30 percent?

Mr. Wagner:

It is 30 percent.

Michelle Madoff:

We're being told anything that will justify the position of the Administration. When they want our opinion they're going to give it to us.

I will tell you that I did not know Mr. Lopus before he came to us. I didn't know whether his work was going to be good or not but I got the feeling from the Councilmembers, and even some of the media today who listened, that the man had something to say and something to offer this City and you won't give us four hours. You who are voting, whoever you are, who are going to vote for this authority today, will not give us the appropriate time to look at alternatives that are substantive to people who are, even though they may have lower water rates today, it has been stated by the Administration that within 3 years we will be on par with the County. In 5 years, we will certainly be on par and perhaps greater and in 8 years we'll have exceeded that but where in this country where people pay higher water rates do they also pay a 4 percent wage tax?

I think this is an alternative bail-out so the Administration doesn't have to bother going to suburbanites anymore because he will now be able to balance his budget, the authority will take this off his back, the water problems, and well, be able to run for Governor. That's my opinion and I stick with it.

Now, in the lease which we didn't get until very late on, and the only reason I asked for it is because, thank God, we have some people from Myland Corporation and Rosemary Markum who is an attorney who has testified and people from Reed Smith, Mr. Peter Denby, suggested that we look at the lease and management agreement.

I'd like to quote something from the draft of the lease and management agreement on page 9, section, it says v but I think they mean something, I don't know, it says c v, whatever that means. "Authority Budget a) The Authority shall submit to the City not later than the first Monday of October of each year a proposed budget for the next calendar year. The City shall include that budget in an unchanged form in it's budget for the next calendar year."

I suggest that we are moving in haste for devious reasons. I would urge you to reconsider. I am going to say something which may end our romance; we've been trying to get along but there are a number of Councilmembers who are going to be running very shortly and I don't think the people are going to forget. And if you don't at least give them a month and give us a month to have some input, I think those people running in two years are going to rue the day.

Thank you.

The Chair:

Can we go to the vote?

Michelle Madoff:

Unless someone has something else to say.

The Chair:

Michelle, when you finish then stop and let somebody else have a chance.

Michelle Madoff:

I have one item to add, please.

The Financial Management Service people who, as you know, are being paid $4,000 while the

Administration paid $100,000 to Greene Engineering, $75,000 for another study, just this morning at 11:00 had the opportunity to give us some feeling and interpretation of their proposal. But they were so concerned about the public's acceptance of their figures that they took out of their own pocket monies and paid Main Hurdman, a company of excellent repute, to substantiate their dollars and their dollars show that we can save at least $230 million using the exact same figures that the Mayor and the Administration are proposing and he's not even suggesting, meaning Financial Management, to go or not to go to an authority. We're now talking about how we finance it. I think it is a sick, immoral thing we do today if we vote for an authority without knowing what the actual plan will be, what is actually going to be the dollar figure or how it will be proposed or how the financial plan will be devised when Mr. Schmeiser says, "It is only a proposal; it is not a specific plan." Well, I want a specific plan so that the people don't get it in the necks later on.

Mr. Wagner:

In a few minutes, this Council is going to be voting on whether or not we have an authority. It almost seems apparent that in a few minutes we will be approving an authority and I'm very hopeful that we can, in some way in the next few minutes, convince members of Council, five members of Council, that we can delay having an authority. One of the greatest natural resources that this City has, if not the greatest, we are about to take out of the hands of elected officials. In comparison to other cities in this country, this is a tremendous attribute to our City. We have a river flowing from the north, from New York State, with an unlimited abundance supply of clean water; we have a river flowing from the south, out of West Virginia, with another supply of water. This is something that we must give serious consideration to because, in essence, we are taking the control of that water source out of our hands.

Most of you and myself were at the Democratic endorsement process yesterday. At that time, I did my own informal survey with various ward elected Democratic chair, vice-chair, and Committeepeople. I surveyed 16 of the 32 wards by speaking to those people directly. The results of that survey were: Out of 16 wards, 14 were against the initiation of an authority at the present time; 2 had no comment. All of us realize that if there's any group of people that we stay in touch with as elected officials, it's the members of the Democratic party. I think that group should also be the group that we are most responsive to. I think what they're telling us is that the people do not want an authority today; they don't know enough of the advantages, if there are sufficient advantages for us to vote on it.

I'm making that point because I think that's a significant point. I think they reflect the feelings of the people in their individual wards, their districts around the City of Pittsburgh. I think the people overwhelmingly want us to delay a vote on this issue.

There have been many arguments for a water authority and some of the arguments are not totally accurate. I want to bring a couple examples to light here. One of the most frequent comments that I have heard, and it has been in the media, it has been made by members of the Administration at the various meetings which we've had, is that we are losing 30 percent of our water. The system is not as deteriorated as has been indicated. The statement has been made numerous times that we are losing

30 percent of our water. That statement is not accurate. The correct statement is, and this is indicated in the Greene International Report under Findings and Conclusions, part five, "About 30 percent of the water delivered to the distribution system has not been accounted for by billings". Not that we've lost it, it has not been accounted for. "Water furnished, unmetered and without charge to City facilities such as municipal offices, police and fire stations and recreational facilities, is included in this amount." Might I add that this City has 200 buildings, a fire department that has unlimited use of unmetered water, swimming pools, and let's just imagine the number of water fountains in parks around this City that continuously operate for a six month period of time. Refer to Section 316 of the Greene International Report under "Accounted for Water". The average for the last three years has been 30 percent; in 1980 there was 28 percent unaccounted for; 1981 was 32 percent; 1982 was 31 percent. Items which contribute to the quantity of unaccounted for water in the Pittsburgh system are, and they're listed in this report: 1) what I just referred to, municipal offices, police stations recreational facilities; 2) fire fighting, street cleaning, sewer, water main and hydrant flushing and construction use; 3) back wash water for filters at water filtration plant; 4) inaccurate measurement of quantity of water delivered to the system; 5) inaccurate consumption meters; 6) estimating consumption of flat rate customers — we do have flat-rate customers in this City of which that represents 5 percent or 4,304 customers that actually pay a flat rate and use as much water as they want to use — 7) unauthorized hydrant use; 8) evaporation of open reservoirs; 9) normal leakage; and 10) abnormal leakage, some of which goes undetected and some of which surfaces and is reported and corrected.

The point I wanted to make with this example is, we are not losing 30 percent of our water. In fact, we are probably losing less than 10 percent, maybe 5 percent of the water in this City. The figure nationally for the accepted loss of water is 10 to 15 percent.

The major point I'm raising here is, does the need exist for us to act today on the creation of a water authority which has been said to lose 30 percent of it's water. That's not an accurate statement; it has been made numerous times. I do not think that the need exists for a water authority today.

Other items which have not been addressed. Some very good proposals have been made pertaining to alternative financing. All of the Councilmembers who were here this morning when the proposal was made by Financial Management Services, Inc., all of you recall that they came up with a proposal, a financial proposal, in comparison to the Price-Waterhouse proposal which would save this City $300 million over a 30 year period of time. There was no one at that table that could dispute that. No one. I think this Council needs to take a further look at not only that proposal but other proposals that have been made that are sound proposals. To this date, we have not done that.

Over the weekend I had the opportunity to speak with Congressman Coyne. As many of you know that have been sitting on this Council for a period of time, Congressman Coyne was in charge of the Committee for Water. I asked him of his opinion pertaining to the proposed authority. He didn't know enough about it to comment yes or no but he did indicate that if there is a proposed authority, that part of the proposal should be to take over the portions of the City where water is

supplied by other sources; meaning, West Penn Water Company in the South Hills, Wilkinsburg Penn in the East End, and West View Water Authority which is in the upper parts of the 26th Ward. That is not part of this proposal. I would think that that individual has done enough work pertaining to a water department in this City for that statement to be valid. We all know that if we're not taking over those portions of the City where water is supplied by other companies, we do not have any control over those companies, they will not be benefitting from the reconstruction of the water lines in their areas and, to a degree, we are slighting those areas of the City.

I've mentioned numerous times that this is a water and sewage authority. Proposed construction costs of $150 million; one-fifth, or $30 million, devoted towards sewage. I have further mentioned that the number one sewage problem in this City is the Saw Mill Run Sewage Basin. There is still no commitment with this proposed authority to address the problem in that particular area.

I think we should hold off on a final vote on the authority until the proper people from the various agencies can sit down and agree on addressing that problem. We have not done that to date.

I think all of these items that I have brought up, and my other colleagues, indicate that we are not sufficiently prepared today to vote on a water and sewage authority. I would hope that all of you would give that consideration.

The Chair:

Thank you.

Mr. O'Malley:

I'd just like to make a few short comments. I think there's a lot of scare tactics being used by members of this Council and I don't think it's really necessary. I listened to five hours of tapes over the weekend of previous hearings that I was unable to attend and there's one thing that everybody on this Council agrees on and that is that we do need some serious repairs to our water and our sewer lines. Everybody on this Council and everybody I talked to is in agreement that the system has to be repaired and has to be repaired within a reasonable amount of time. What everybody seems to disagree on is, how are we going to finance this and how long is the construction going to go on for. Is the construction to be a 7 year or a 13 year project?

So, taking into consideration that we agree that we are in need of repairs, an authority is obviously the best and the cheapest way to finance those repairs. An authority has been pointed out, and even members of this Council will basically agree with it, that an authority can borrow money at a lower rate of interest in the City of Pittsburgh. Once we take this burden of financing the entire water system from the City of Pittsburgh, then obviously our bond rating might go up and that will enable the City of Pittsburgh to borrow money at a cheaper interest rate for capital improvements.

I discussed the report by our own consultant, Financial Management Service, with the Mayor's people this morning and informed them of the possible $300 million savings. What they said is they gave us the worst scenario of what could happen if we went to an authority.

Michelle Madoff:

Who said it?

Mr. O'Malley:

The Mayor and some of his administrative people. They said they were certainly open to review any options that would enable them to complete the needed repairs at a greater savings to the people of the City of Pittsburgh. Even at the worst scenario of the average household in the City of Pittsburgh using 15,000 gallons of water a day or a month or a quarter, 15 thousand a quarter, it would pay $23.51 for that water. That breaks down to the average water bill of $8 a month. An average water bill for the City of Pittsburgh of $8 a month. At a 20 percent increase, we're talking about $1.60 a month increase in water. Over the next 6 years, until 1990, we're talking a total increase of $8 - $9 a month. That's what this is all about. I don't think that's what is being pointed out by members of this Council. All these scare tactics that your water bills are going to go up 126 percent totals $8 - $9 a month. I think that's a very cheap price to pay for the health, welfare and the future of the citizens of the City of Pittsburgh.

I think Michelle Madoff gave the best argument why we need to repair the system and why we have to go to an authority. A city water system that has 1,126 breaks in 21 months is certainly in need of repair. Nobody has offered any suggestion that an authority that money can be borrowed cheaper than an authority.

The other thing brought out is everybody seems to be scared of an authority. There are three managing, there's more than that, but there's three managing authorities in the City of Pittsburgh. One is the Parking Authority.

Michelle Madoff:

They're not very good.

Mr. O'Malley:

I've been on this Council for four years and never heard any complaints about them.

The other one is the Housing Authority which has won many national awards and has provided good housing.

The other one is Alcosan. Alcosan is a sewage authority for almost the entire City of Pittsburgh and the entire county. We haven't had a rate increase in the past 8 years and as it looks, we'll be able to go another 2 years without an increase. In this day and age, for an authority for any government to be able to go an entire decade without raising the rates, I think, is a compliment to that authority.

I don't think an authority is necessarily all bad. So, it breaks down to three things. The lines need repair, the authority is a cheaper way to go, and at tops, the most it can cost the citizens of the City of Pittburgh by the year 1990 is an additional $9 a month.

The Chair:

Call the question.

Mr. Grabowski:

Before I vote, Mr. President, I'd just like to make one brief statement. I tend to agree with Councilman O'Malley that no one here, including myself, on this Council, disagrees that the system, in fact, has to be upgraded but the big question is how to pay for it. If we vote

for this bill before us, however, we will have no say, this Council will have no say, in how to pay for it.

Right now, Council does have the authority to control the water rates. We can raise the rates right now and use that additional money to start to improve the system. The proposal that has been talked about carries with it, there's been a lot of figures thrown out but to the best of my ability, the number that sticks in my mind to finance the needed construction, is $350 million on interest alone. The argument has been used that inflation will eat that up and in the future it won't be a very significant amount of money. Well, I don't care how much inflation we have, $350 million is always going to be a very significant amount of money. I think that if we simply raise the rates now we can avoid this tremendous financial burden.

Based on that, I am voting no.

Michelle Madoff:

I would like to share with Council that the American Association of Retired Persons will be meeting tomorrow, Squirrel Hill Chapter, to look into the possibility of taking legal action if we vote for an authority. I think they're absolutely right and I vote no against an authority.

Mr. O'Malley:

I'd just like clarify one thing on what Councilman Grabowski said. I don't think anybody on this Council and certainly anybody in this room for one minute does not think that the Mayor of the City of Pittsburgh cannot remove the head of an authority tommorrow if he wanted to. I think that's just an understatement. It can be done, Steve, and it can be clearly done any time the Mayor would wish to remove a head of a department. I don't think any authority in the City would get that far out of line; certainly this Council would not permit it and the Mayor would not permit it.

I don't think $1 a month increase by the average household in the City of Pittsburgh is too much to pay for a complete and healthy water system.

I vote aye.

Mr. Wagner:

Before I vote, I'd just like to say that I don't think there's any member of this Council, if an authority was not formed today, would not vote for a rate increase on water tomorrow. I want to go on record that I realize there is a responsibility for us to do that. I would also like to bring the statements made at last Wednesday's meeting forward into today's meeting.

I vote no.

(BEGINNING - MR. WAGNER'S REMARKS ON BILL NO. 47 - WEDNESDAY, 2/1/84)

Mr. Wagner:

Is it the intent of the Chair to have a vote on this today and have a final vote Monday?

(THE CHAIR COMMENTS)

Mr. Wagner:

I'm not finished. It is the opinion of this member of Council that some serious issues have been raised with the proposal of the authority, and I have discussed them in detail all along. Primarily, the area of the City of the South Hills that I have discussed and I hope that my colleagues will be in support of, the fact that we have close

to 30 percent of this City that will not receive the benefits of a proposed Water and Sewage Authority. They will receive the benefits of the sewage end of it and reconstruction, but not the water end of it.

It is also true that the subsidy which those people now have on their water bills which amount to one third of their water bill will be eliminated within a two-year period of time, when they will receive nothing in return in terms of reconstruction of the system. It will also give West Penn Water Company an open door to raise the water rates in the future beyond that two-year period of time.

This is a critical issue. This is something that we need to discuss in further detail.

A comment was made last evening by one of the speakers that there is a possibility that a proposed authority could enter contract with West Penn Water Company to provide reconstruction where needed of the water system in the South Hills and other areas of the City that do not following under the proposed authority. That was the first time this Council heard that opinion. That is an important issue. I think that question needs to be answered by those proposing the authority.

One of the other important issues that has not been covered or addressed to date, and I have discussed at length is the Saw Mill Run situation. In the proposal of a Water and Sewer Authority, we cannot in my mind vote at this point and time on a proposed Water and Sewer Authority when the number one sewage problem in the City of Pittsburgh has not yet been addressed.

There was also a proposed alternative financing suggested last evening which I had presented to Mr. Schmeiser and his people, and they briefly looked at it. In that proposal, it indicated that if rates were increased under the suggested program, there is a possibility that all the construction work could be accomplished within a 13-year period of time, and there would be no long-term debt after that period. I think that is an item of possible alternative that we should be looking at and other alternatives of that type.

The most important point I want to make though is that we have had as a Council a proposal put in front of us and we as a Council, as a body of nine members and our staffs should have the capability to suggest improvements to that proposal. If was vote on that proposal today as it sits without suggesting any changes, that tells me that this Council is not capable of adding anything to that proposal made by the Administration.

I for one think that we have the capability at this table to add to a proposal and see if the Administration will accept our suggestion.

And I think we as a group should have further meetings of this type and should make alternative suggestions to financing, to the problems in the South Hills, to the equalization of water rates, prior to a final vote on this issue.

Mr. Berman, based on the fact that your professional expertise in this area, and the Greene International report indicates that we need to spend $165 million to reconstruct our water and sewage system, is it absolutely necessary that this be accomplished within a seven-year period of time?

Mr. Berman:

No.

Mr. Wagner:

Okay. The $165 million is a strange figure —

Mr. Schmeiser:

The first five years with inflation.

Mr. Wagner:

Oh, okay. I said it before, and I'll say it again. Seven years is not a magical number. Six years, eight years, nine years, this is a reasonable program from a design and construction, actually getting the stuff in the ground standpoint. The only problem with stretching it out is how far are you going to stretch it out? Is it possible to stretch it, say to 12 years?

Mr. Berman:

Okay. The further you stretch it — this is like the question when did you stop beating your wife. How much more deterioration are your going to have in this system? I can't answer that question. The probability is that it's going to continue to deteriorate. The more deterioration there is, the greater the probability that there might be a major malfunction where you lose a section of line, where you lose some fire hydrants and fire protection.

MICHELLE MADOFF COMMENTS

Mr. Berman:

It could happen tomorrow. That's right. And it might not happen for 20 years. I can't put a number on that. Based on engineering judgment, the program is doable. It's ambitious, but it's doable. The more you stretch it out, the more the probability is that something — the word catastrophe was used.

MICHELLE MADOFF COMMENTS

Mr. Berman:

No ma'am. I was going to comment on it, but somebody else did before I did. We have catastrophies in the bridge area. Bridges collapse. A major problem in the sewer area is a piece of line goes out and you lose fire hydrants. A continuing problem in the sewer areas is flooding in the basement. Now, that is a catastrophe to the homeowner, but it's not a catastrophe to the system.

Mr. Wagner:

In Saw Mill Run it is.

Mr. Berman:

In Saw Mill Run, it's a major continuing problem. A catastrophe to the people who are directly involved.

Mr. Wagner:

A long catastrophe.

Mr. Berman:

I'm not sure I — I addressed the question. I am not sure I answered it.

Mr. Wagner:

Okay. So, in fact, it is not absolutely necessary that this be accomplished within a seven-year period of time?

Mr. Berman:

You could continue with — the answer is yes. It is not absolutely necessary. You can continue with the same program you have now, which is about a third of ours and hope that nothing happens.

Mr. Wagner:

Well, then is it possible for this Council to be provided with alternative proposals indicating that this could be accomplished in five years, nine years, eleven years, and maybe increments of two years up to fifteen years for us to take a look at those proposals and objectively decide what we feel would be the best way to go in terms of the need for reconstruction and the financing of the program.

Mr. Berman:

Well, the need for reconstruction is there.

Mr. Wagner:

But we're not sure what period of time.

Mr. Berman:

It's almost a proportion, an algebraic formula, I guess. If you want to stretch it out for two years, it doesn't take long to figure out what the rates are going to be, but that doesn't take into account what might happen to the system, and what additional cost might be because of the further deterioration. It is a subjective call. It's not something you can put a handle on.

Mr. Wagner:

And for that reason, I raised the question because the time period necessary for reconstruction has a tremendous impact on the financing of the program.

Mr. Berman:

And eventually on the rates, certainly.

Mr. Wagner:

And for that reason, I think this Council should be provided with alternative proposals to look at other time periods —

Mr. Berman:

Can I ask in a different way? What kind of a progression of rate increases would be acceptable? Now, I know that answer is none, but let's start the other way around. I think the proposal now calls for a 20 percent in the first year then decreasing. Would you like to see what a 10 percent across — Let's say you went with a 10 percent rate increase every year. How many years will that stretch it out? I'm not sure whether it would be double or tripled, but the questions still comes back; are you willing to consider the possibilities that the system is going to continue to deter right over that expanded period of time until you have a real problem?

Mr. Wagner:

The one point that has been brought out at both public hearings that this Councilperson has learned is that the people are not necessarily against the fact that rates must be increased. I think that is a realization that all of us in this City have accepted. The point here is whether or not we need to do it within six years and whether or not we need to go to an authority. So, I think a proposal based on what has been suggested, meaning the suggested rate increases over the next five to seven year period of time, a proposal based on that suggestion, but with a different time frame for reconstruction needs to be proposed or given to this Council to look at and evaluate.

Mr. Berman:

As Mrs. Madoff has said, I'm not a fiscal person. I would defer to Mr. Schmeiser.

Mr. Schmeiser:

We could do that very easily. We can stretch that out over any period of years and tell you what the rate increases would result in. I don't think that has an effect on whether or not an authority should be developed or not because an authority would allow us to borrow at the lowest rates. It would also be best for the City's general obligation credit.

Incidentally, we will look at this each year. This seven-year program is not etched in stone. Each year, we'll have to look at it again and determine what we find as we get into ground and so forth. These are just projections. These are our best estimates at this time.

Mr. Wagner:

I think you understand, Ron, what I'm suggesting is that this Council has one proposal in front of them, and it appears as if we're going to vote on this one proposal when we do not have any alternatives to evaluate, and I think we need that to come to a rational decision as to whether or not your original proposal is the proper proposal.

Mr. Schmeiser:

The original proposal being over a seven-year period, you mean?

Mr. Wagner:

Yes.

Mr. Schmeiser:

Well, this is our best estimate of what the water rates are going to be assuming a seven-year program. Now, we can extend this program out to any number of years you would like, factoring in six percent inflation which is what we use. What we can't factor in is the cost of the further deterioration which is a guess.

Mr. Wagner:

It's a guess for all of us.

Mr. Schmeiser:

So, you're throwing dice to an extent when you extend this, as I understand Mr. Berman's professional advice to us, that beyond seven years or eight years or whatever it is, you're beginning to throw dice.

Mr. Wagner:

My next question is, is the Administration flexible enough to take suggestions from this Council and to incorporate those suggestions into the proposal that you had submitted, such as the suggestions that have been brought up which is to equalize the rates for all users of water because we have, in fact, found out that this is one of the few cities where the person that uses the least pays the most.

Mr. Schmeiser:

Per unit you mean.

Mr. Wagner:

Per unit. When in many cities in this country, those that use the most, pay the most due to the fact that they are — we want them — in those cities they want the large user to conserve the

water.

Is this Administration flexible enough to take suggestions from this Council to incorporate into your proposal.

Mr. Schmeiser:

Absolutely. However, before we would make a radical change like that, we would have to determine the impact on industry. We don't want to drive out any industry. And I think we have to have a study made as to what impact it might have. But, yes, we certainly are very flexible and would look to equalizing.

Mr. Wagner:

My last question is to Mr. Cosentino. Have we attempted in the past to market the greatest natural resource that we have in this City to sell it and to profit from it financially?

Mr. Cosentino:

Yes, we have. In the past four years, we have added Blawnox Boro to our customer list. We have also made a connection with Millvale Boro, and they are in the process of using our water at the present time. And we have been negotiating with West Penn Water. We have in the past. There are no recent discussions with them, but we have interconnections with many of the other systems on emergency basis, but we did what we could and where there has been an interest, we discussed marketing the water with Aspinwall Boro, and I know that they have been in the process of making a comparison and whether they should improve their system or buy water from us. So, I know that is underway.

Mr. Wagner:

Well, to what degree have we benefitted financially?

Mr. Cosentino:

Well, I think it has generated additional revenue for us and the marginal cost has been very small.

Mr. Wagner:

Any ideas what figures or numbers?

Mr. Cosentino:

I can't, off of the top of my head, give you that figure but certainly selling water to those communities, we may be looking at a few hundred thousand dollars a year.

Mr. Wagner:

Do you anticipate with or without an authority we can continue to sell water to additional communities outside the City in the future?

Mr. Cosentino:

Well, that's always a possibility, regardless of what vehicle you use. That's always a possibility, yes.

Mr. Wagner:

Thank you.

This Council has too many serious problems in front of it here and for us to approve this bill or to act upon it and move for affirmative recommendation today is not in the betterment of the citizens of this city, particularly the people in the South Hills, and this question here has not yet been resolved pertaining to the rate increase that they

will have, with no benefit to them.

The Saw Mill Run problem which I have talked about and which is a most serious problem that exists, we have not yet made any proposal to the original proposal by the Administration to make this a better proposal and that is the major flaw that exists here today. For that reason I vote no.

(END - MR. WAGNER'S REMARKS - 2/1/84)

The Chair:

I would like the remarks that I made last Wednesday to be incorporated into the proceedings of this meeting.

(BEGINNING - MR. STONE'S REMARKS ON BILL NO. 47, - WEDNESDAY, 2/1/84)

Mr. Stone:

If I may. Before voting, I'd like to make a couple of comments. I have listened to everybody talk and I probably have talked less on this subject and it is about time that I give my views on it.

Relative to the Water Department. I think it ought to be known and anyone that says to the contrary is not telling the truth. The Water Department in the City of Pittsburgh has been a stepchild department to the City of Pittsburgh. We have never done what we should have done and it is not this Administration's fault as the Administration before that and for the last 50 years.

Some past Administrations, even knowing the problem, but in order to satisfy budget deficiencies have even taken moneys from the Water Department. In addition to that, the work that's proposed, even if 100 percent performance was not up to what should have been done, and that has been notoriously well known. The employees in the Water Department historically have been the lowest-paid employees in the City of Pittsburgh, and while the rest of the City was covered and getting overtime past eight hours, the Water Department was the last department in the City of Pittsburgh to get the overtime. In fact, I'm reminded when there was a water break next to my house in which the hole was big enough for an automobile to be in it, where the water employees were down there swimming in the water and the men had to turn a valve 40 times in order to turn it off and they still couldn't. Finally, after a considerable period of time they did, but they had worked 18 hours straight and without overtime pay and then put in an eight-hour day the next morning.

It is well known and the worst thing about this is that one-third of the water in the City of Pittsburgh is wasted in the system. We have a problem and we cant't continue to do business as usual. We must face up to the problem and I would like at this time to commend the Mayor of the City of Pittsburgh, because he could have done what his predecessor did and that is to leave it alone until it would come up as a major castastrophe but then to pass it onto the next man after him. The fact that he faced up to the responsibility brings it to light, he should be commended and not criticized for that proposal.

I have listened now through a number of public hearings and I have listened to the Administration and I have listened to so-called experts who wanted to change that particular approach and it boils down to the following reasons:

1) It's a $150 million problem.

2) One-third of the Water that we lose in the system, which is good, purified water.

After we pay to take it out of the river and after we put it into our purification system and after we pay and use our equipment to purify it and after we start distributing it, it is now that we lose one-third of this water, so it is costing us more than one-third of the water and is causing a loss in revenues as well as the extra money to produce it because we know it is going to be lost.

Anyone who knows depreciated items obviously knows that the rate of disrepair or depreciation will accelerate without attention as the years pass and I think that is the reason it has been mentioned, a cycle of seven. After you get past that, if that is what the engineers find is that cycle, then it starts getting worse if it is not attended to as it is right now. Believe it or not, in the City of Pittsburgh there are presently areas where we have no pipes and if the dirt weren't solid around it, the water wouldn't go in the direction that it's going.

It has been mentioned about the South Hills. I live in the South Hills and I have concerns for the people in the South Hills. It was my intestinal fortitude at one time to attempt to shut off every municipality south of the river and north of the river because of the overflow of sewage, but nevertheless, that is a problem that can't be satisfied and solved at this table. We need the kind of money that does not exist in the city and does not exist in the county but does exist on the state and federal levels.

Right now pipes going from the Mon River into the Western Pennsylvania Water system are ours. If they buy water from us and we now have a commodity to sell it to them, for the first time the City of Pittsburgh residents south of the river can enjoy the same water that everyone else in the City of Pittsburgh has enjoyed, but the second key is important and that is, for the first time the Western Pennsylvania Water lines are not geared into out water lines and will eventually lead hopefully in what we hope will be the way that it should be done and that is eventually take over the purchase of the Western Pennsylvania Water System. There is no question that we must handle the matter. Likewise, whether it's the City or whether it's the authority, the work must be done because the rates will increase whether we do it as we are now or whether we do it in an authority. General Obligation Bonds are out; revenue bonds are a concept that might solve it.

Relative to that matter, we have had the experts tell us here that if we were to shift from the City to the Authority, this responsibility would aid our bond indebtedness in the City of Pittsburgh, thereby getting us a better bond rating and thereby reducing our interest expense on any bonds that are sold. In that sense it has been listed here that there is a $27 million savings just by the finance operations.

Relative to the authority. The authority being a new pick up in obligations and being more responsive in the sense that the board will do what they have to do and what the city residents should want them to do, then it would appear that they have a better ability to produce what is essential here.

I want to close on one comment. I have been on this Council for 11 years and I do not know of any time in which the Administration's team has ever come here and changed their position, especially on this issue. I want to be the first one to commend everybody who has

testified here on behalf of the Administration, including Ron Schmeiser, Director of Finance. I think everyone did an excellent job and I have heard numerous compliments on the presentations. Ron's testimony was knowledgeable and he gave it to us as it should have been given to us. It was clear, concise and understandable.

There have been many people that have come before Council; experts, volunteers and some not so volunteering, but they all attempted to take the program that is before us and offer other alternatives, while they have not stated what has been proposed so far is incorrect or otherwise.

There is no other course for the City of Pittsburgh today. If we want to be responsible and not political, we must go the authority route. We can't wait any longer on messing up the water system as we have done these past 30 to 50 years. I vote yes.

(END OF MR. STONE'S REMARKS - 2/1/84)

The Chair:

I would likewise like to point out that there are some very clear things that are coming out of all the hearings we had. First of all, our water system is not up to where it should be and anyone who has some difference of opinion as to how it might be done cannot, in good conscience, say that our water system is in good shape. We don't need to do anything about it.

We cannot avoid the history and that is for not this Administration but for some 30 to 40 years we have not addressed the issue, even on the yearly basis let alone the overall capital improvement needs. This is a problem that is not here the last 2 years, 3 years, 4 years, but rather 30 to 40 years. I shall not repeat in an attempt as I did last Wednesday, the Water Department has been the stepchild department of the City of Pittsburgh. We've done everything but treat it properly; we haven't even treated it's employees as City employees. It was only in recent years that their wages and their salaries were elevated to a parity with what everyone else had been getting for many, many, many years.

No one disputes that it's $160 million investment right now, not counting the debt service, etc. No one disputes the fact that it's getting worse and likewise, the record of our City, as it is right now, past Mayors, past Councils, and even those of us who are here, have not given the kind of increase of water rates that should be there to carry out the kind of needs.

What need we more than to have that kind of experience factor some 50 years where we haven't done in any of those years what we should have done on behalf of water? We were told it is our greatest resource and, goodness knows, it is. But we haven't addressed it as such for 50 years.

The question here is whether or not we should have an authority. I have not heard anyone who has given me, at least, any indication and logical reason why we should not go into the authority.

It is a financing arrangement and even the arrangement that is before us is not a true authority. It is a hybrid kind of situation whereby the employees are City employees to which the authority pays to the City the services, those indirect costs which they give to the authority.

I don't know why we didn't go the full rate; it may have been better yet.

But yet, there is some control. Relative to the matters, there have been all kind of financing devices given. I don't profess to be the best finance man in the world; I don't profess to be the worst either. I've listened to them. Some people suggest we ought to have general obligation bonds. It doesn't take long to wipe that one out because no good financier would ever attempt to do that and no financing management service would ever recommend it. What they have recommended is revenue bonds, either doing it with the City or with the authority. Recognizing that the best financing vehicle presently is revenue bonds, the next question is where you do it, with the City or with the authority. To me, the weight lies that the best advantage of the City of Pittsburgh is with the authority.

I mentioned on Wednesday that I know of no instance in which the City's administrative team has ever been taken to task as much as it has been on this particular project. Yet, the key to it all is, no one has ever said, even Mr. Lopus, it's most staunch adversary because I don't think he's really in a position of an opponent, has said that the proposal is wrong. What has come up is that there may be alternatives. I think that's wise because two heads are always better than one. If two people agree 100 percent, one is useless. But there comes a time when we ought to stop the mental gymnastics. That's what we have here.

I listened this morning, and Mr. Lopus will pardon me for what I'm about to say, there are many times that Mr. Lopus will start to say something and never complete it and leave doubt but never clear it up. But I think he cleared it up for me this morning. Let me just share, if I may, with you. Under the Administration's proposal, they are suggesting a $30 million loan over 30 years; I'm told that's 10 percent. And then in the year subsequent they'll be paying back 2 million, 3 million, 6 million, 10 million, 13 million, eventually 24 million.

In one of the alternatives I suggested this morning, we were talking about borrowing $78 million, 2-1/2 times more than we're proposing now, over a 10 year period 2-1/2 times more money and in a condensed period, namely 10 years instead of 30. We're talking about 7.25 as the rate. But all anyone needs to do, anyone who has purchased a house and has a mortgage, I don't think there's anybody that bought a house that didn't want to pay it off cash. They would have loved to have done it. Regretfully, nobody has that kind of money around. So, what they do is the next thing. They wish they could pay it off in one year until they get one problem. They say, "What do you have to pay back monthly?" When they see those astronomically high monthly rates, it's obvious that they don't want to pay it off in one year. So today, the average is anywhere from 20 to 30 years. I do know that when you borrow the same money but instead of 40 years you do it in 30, then your rates are going up, what you have to pay back.

I'm not so sure that if I borrow $30 million at 30 years my rate is 10 percent and if I borrow $78 million for 10 years my rate is 7.25, because in the second period, the 10 to the 20 and the 20 to the 30, if you're going over the ful cycle to 30 years, I'm now back out no longer with a fixed interest rate but rather what the market will bear. This City regretfully got caught a couple of times in that kind of a situation. I did get, after three requests, that on the pay back, and it has to come out, that if you're borrowing more money and yet with less years, your pay back has to go up. In that case, comparables, in one you're paying $3 million back a year as

opposed to the other, I'm told, $6 million but maybe we get, through some device of investing and re-investing, we're able to bring it down maybe another $1 million. I think the figure, if my memory serves me correctly, was $600,000.

That still leaves me with all the benefits I could possibly get of having to come out with an extra $2 million a year or somewhere along the line. I don't know that anyone has told me that somewhere there's some fat in that budget for which we can pick up the extra $2 million.

We are now not working on what is meaningful but just rather an attempt to destroy something. While we're doing it, we are also playing politics by trying to have the citizens believe that if this water authority doesn't go through — For instance, Mr. Lopus' suggestion you'll save money. But Mr. Lopus said very clear this morning that even with the alternative that he gives us, the rates are the same under that proposal. The rates under the Mayor's proposal and the proposal we got this morning are identical. All it is is a matter of funding mechanism over the long haul and the long years. But, one thing that I find is a concern: Mr. Lopus is indicating that we can borrow at 7.25 and even though we're not going to put it in the ground right away because it's not conceivable that we can spend the $78 million in that short period of time and we can invest and re-invest. And if you invest for higher money than what you're borrowing from, it seems that our laws have tended to that and that's what they call arbitrage. I am fearful that we may be on the bounds of legal arbitrage.

At any rate, I want to be fair to everybody. Relative to the financing proposal that is given to us, that came somewhere in October or November, so they were thinking about it at that time, and I'm sure that the proposed water authority would have to re-look at it. Five months makes a difference, even to someone who already had a pretty good plan five months ago. That does not wipe out the possibility of incorporating any new ideas that are there and even updating the program that is there.

Politically, we who are elected officials have to make some decisions. Some we make because people say, "Don't do it" and then later they, like we, suffer because we didn't have the imagination or the intestinal fortitude to come forward when we should have come forward. We've waited 50 years too long in this instance; we can't afford to wait any more.

I obviously, having no choice, as a citizen and elected official, in the best interest of the City of Pittsburgh, I can vote no other way but yes.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)
AYES 5	NOES 4

VOTING NO:

Mr. Givens	Michelle Madoff
Mr. Grabowski	Mr. Wagner

And a majority of the votes of

Council being in the affirmative, the bills passed finally.

Also,

Bill No. 73

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Alex and Joseph Kolas in the amount of $1,200.00 in payment for rental property at 5632-40 Second Avenue for 1983; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 74

A Resolution entitled, "Resolution transferring $255,000.00 from the Department of Parks and Recreation's Code Account 1843, Senior Citizens Program to the Department of Parks and Recreation's Senior Citizens Program Trust Fund."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 98

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Gulli Contracting Company in the amount of Five Thousand Fifteen ($5,015.00) Dollars, in payment for construction work at Friendship Park, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the

bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Mr. Givens presented

Bill No. 175

Report of the Committee on Public Works for February 1, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 69

A Resolution entitled, "Resolution granting unto the Regional Industrial Development Corporation (also known as RIDC), their administrators and assigns, the privilege and license to construct, maintain and use, at their own cost and expense, an electrical transformer vault in a portion of Vance Way, in the Fourth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 70

A Resolution entitled, "Resolution granting unto Firstside Parking Facility, their administrators and assigns, the privilege and license to construct, maintain and use, at their own cost and expense, a Duquesne Light vault under a portion of the sidewalk of the Boulevard of the Allies, in the First Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 71

A Resolution entitled, "Resolution taking, appropriating and condemning, by the City of Pittsburgh, for public Highway purposes, 15' foot of the property known as 22-M-119 situated in the Twenty-Fifth (25th) Ward, City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

Bill No. 176

Report of the Committee on Planning, Housing and Development for February 1, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 93

A Resolution entitled, "Resolution approving Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and listed redevelopers for the sale of properties for $1.00 per lot as per the Property Management and Maintenance Program." (PMMP SIDEYARD SALE)

Which was read.

Also,

Bill No. 94

A Resolution entitled, "Resolution approving Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Highland Properties Company for the sale of Block 124-S Lot 332 in the Twelfth Ward of the City of Pittsburgh as per the Property Management and Maintenance Program." (PMMP SIDEYARD SALE)

Which was read.

Also,

Bill No. 95

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and listed redevelopers for the sale of properties in the City of Pittsburgh." (URBAN HOMESTEADING REHABS)

Which was read.

Also,

Bill No. 96

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and John H. Owens and Inez B. Rogers for the sale of Block 174-P Lot 46 in the Thirteenth Ward of the City of Pittsburgh." (SIDEYARD)

Which was read.

Also,

Bill No. 97

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Nazareth Baptist Church for the sale of Parcel 71 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31." (PARKING)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. Robinson	Mr. Stone (Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

Bill No. 177

Report of the Committee on Parks and Recreation for February 1, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 75

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Uptown Athletic Association for professional services during 1984 and providing for the payment of the cost which is not to exceed $5,000.00 and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 76

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Ballet Theatre for the furnishing of performances to the residents of the City of Pittsburgh during 1984, and providing for the payment of the cost which is not to exceed $25,000.00 and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 77

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Civic Light Opera for professional services during 1984 and providing for the payment of the cost which is not to exceed $9,000.00 and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 78

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Champions Association, Inc. for professional services during 1984 and providing for the payment of the cost which is not to exceed $5,000.00 and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 79

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Duquesne University for the furnishing of dance performances to the residents of the City of Pittsburgh during 1984 and providing for the payment of the cost which is not to exceed $15,000.00 and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 80

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Three Rivers Arts Festival of Carnegie Institute for cultural entertainment during 1984 and providing for the payment of the cost which is not to exceed $12,000.00 and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 81

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Robert Morris College for the services of the group named Pittsburgh Folk Festival during 1984 and providing for the payment of the cost which is not to exceed $6,000.00 chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 82

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Ozanam Cultural Center for the furnishing of professional services to the residents of the City of Pittsburgh during 1984 and providing for the payment of the cost which is not to exceed $40,000.00 and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 83

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the American Wind Symphony for the furnishing of professional services to the residents of the City of Pittsburgh during 1984 and providing for the payment of the cost which is not to exceed $25,000.00 and is chargeable to and payable from Code Account 1833, Recreational Activities, Concerts, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 84

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Opera for the furnishing of services for the benefit of the residents of the City of Pittsburgh during 1984, and providing for

the payment of the cost which is not to exceed $25,000.00 and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 85

A Resolution entitled, "Resolution providing for an Agreement or Agreements with River City Brass Band for the furnishing of services for the benefit of the residents of the City of Pittsburgh during 1984, and providing for the payment of the cost which is not to exceed $3,000.00 and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 86

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Brashear Association for the furnishing of services for the benefit of the residents of the City of Pittsburgh during 1984, and providing for the payment of the cost which is not to exceed $10,000.00 and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 87

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Arsenal Board of Trade for the furnishing of services for the benefit of the residents of the City of Pittsburgh during 1984, and providing for the payment of the cost which is not to exceed $2,000.00 and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 88

A Resolution entitled, "Resolution authorizing the City of Pittsburgh to enter into an Agreement or Agreements with the Pittsburgh Symphony to provide free concerts in Point State Park this summer."

Which was read.

Mr. Givens:

On Bills 75 through 88, Mr. President, we just got a letter that was just on the desk out here when we came out today. I want to read this into the record anyway.

The Chair:

Just insert it. We all got a copy. Put it in the record.

Mr. Givens:

I have a copy but I'd like to read the copy into the records. This is pertinent and you weren't here when much of this discussion came up and a post agenda bill. It's addressed to all members of Council and it's from Danny Pellegrini, our City Solicitor.

"You have requested an opinion as to whether or not Council Bill Nos. 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, and 88 violate Article IX, Section 9 of the Pennsylvania Constitution.

Article IX, Section 9 of the Pennsylvania Constitution prohibits any municipality from giving grants and donations except as specifically authorized by state statute to any corporation, association or individual.

Director Brown has informed me as to the purpose for each of these Bills. Council Bill Nos. 75, 78, 82, 86, and 87 provide for each of these groups to provide recreational services to the City. Council Bill Nos. 76, 77, 79, 80, 81, 83, 84, 85, and 88 provide for performances that can only be attended by City residents in City parks or provide admission for participants in out-of-City programs, e.g., senior citizens centers.

Accordingly, it is the opinion of the Department that, since each of these Bills is for a purchase of services, Council Bill Nos. 76 through 88 do not violate Article IX, Section 9 of the Pennsylvania Constitution."

I might say that they left several bills off that were on that that the Mayor vetoed that indicated that we cannot give grants and donations to agencies that are outside the limits of the City of Pittsburgh or our own residents. These bills, and I don't have them all before me, these bills, if I might, these bills, are not in fact giving entertainment to people outside the City of Pittsburgh when we say that we're going to have the Pittsburgh Ballet Theatre. Now, that's attended, surely, by only Pittsburgh residents.

The Chair:

Tickets, tickets.

Mr. Givens:

Pardon me?

The Chair:

The way they handle that is they get tickets for our senior citizens.

Mr. Givens:

Those tickets don't begin to indicate the $25,000 some that we contribut. Yes, they give us some tickets; they do not give us $25,000 worth of tickets and other amenities that we give them like tax exemption, etc. You cannot say that the Civic Light Opera, professional services which we receive no tickets for, that we get any service from them and that this is southwesternal region in scope. Champion Association appropriated for professional services, 1984 - $5,000. Another one. Here's one for $15,000 for Duquesne University for furnishing dance performances. I imagine that's our Tamburitzens, a great outfit that goes all over the country.

Now, the ones that are being denied, here's $12,000 for entertainment chargeable from Recreational for Three Rivers Art Festival. Everybody comes in for the Art Festival. They even make money on it. The City makes money on it. Everyone makes money on it.

Six thousand dollars, Robert Morris, for services, a group named Pittsburgh Folk Festival during 1984. People coming in, again, from all over. Ozanam, I think, is one of our only true people right there that do work right within the City and go out from the City and bring tradition and very good trophies back to the City as was exemplified during the Dapper Dan Awards Dinner last night. One lady appeared here with the Ozanam.

Here's another. Twenty-five thousand dollars for professional service with Wind Symphony who sometimes is never in the City of Pittsburgh is always on the road and rightfully so. They're representing the City of Pittsburgh. Twenty-five thousand dollars here for the Pittsburgh Opera for furnishing services for the benefit of residents of the City. Another $3,000.

My mark is that the Mayor vetoed about 3 or 4 line items from our budget that fit right into this package right here that were denied by the City of Pittsburgh. One of them was the Friendship House which accommodates people who come into our hospitals and who have generally cardiac problems, that's where most of the people are coming from. The County has already given them $50,000 under CD money. We have still not gotten any CD money; our Finance Chairman used to look into it. Ben, do you have any answers to it? We're in our fifth week right now. I have not received one bloody word from anybody in regards to the Friendship House which is serving not only people from the local area and if you have a heart patient, I don't care where he is, and you live in one end of this town and you know that you can live in another end and be within 2 minutes, 3 minutes, 5 minutes from that hospital, you're going to be there if you're not going to be right in the waiting room which was the problem in all of our major hospitals. We had people sleeping in the corridors, sleeping in the lounge areas and that didn't look too nice for people who were coming in.

So, we provided a service that other cities are providing. Pittsburgh is the city of smiles; we're supposed to be the leaders of this nation and this is a leadership program that we have not given our fair contribution to.

The other one was the high school band from over there in the South Hills that other than their normal band practices are in competition and go out and show Pittsburgh off like the Wind Symphony shows it off, like the Pittsburgh Opera shows it off, like the Pittsburgh Ballet shows it off. We refuse to give our own little kids in that community. We give it to Ozanam but we find, for some reason, under Article IX, Section 9 of the Constitution of the State of Pennsylvania that we have something wrong.

We have our own police and fire softball teams that want to have a national tournament in our own City. But Parks and Recreation, they can't come up with a wee little contract for a couple of thousand dollars to bring in people from all over the United States, police officers and firemen. And you know the association they have. When they go back, I mean, they can really blow their horn about this smiling City of Pittsburgh. Yet, we denied them under this same Constitutional thing.

My point, Mr. President, is, if we deny those four that I just mentioned, then many of these that I mentioned here should be denied. I asked for a legal opinion; I got a legal opinion that didn't even address the issue right here. I asked our Finance Chair to do something about it. Nothing. Let the people from Carrick, let the people from Bloomfield and Garfield and let the policemen and let the firemen and those others that I can't even recall right now, be denied and I say then that those who vote for these bills right here in this Council, until that issue is settled and we have it settled in writing, that I think we are denying some people of some neighborhoods something that they should deservingly receive.

I ask to put them back into

Committee for one more week.

The Chair:

We're voting now, Dick. How do you vote?

Mr. Givens:

I have a motion that we put them in Committee until this thing is resolved. That's all, Bob. One thing.

Ben, it's your floor. I relied upon you and you said, in good faith, sitting at this table on a post agenda item —

Mr. Woods:

Dick, I do have communication for you and I'd rather not bring it up right now. I'd rather wait until Wednesday. Okay?

Mr. Givens:

Wednesday is too late.

Mr. Woods:

We're voting on these bills now and I think the motion has been made. I think the Clerk was calling the roll.

The Chair:

I have a motion; I've not heard a second. The motion fails.

Let's have your vote now, Mr. Givens. Call the question.

Mr. Givens:

I would very much want to give all these people everything that they rightfully deserve but because of my commitment to those other neighborhoods, whether it be a neighborhood that I'm from or any other neighborhood, I would have to say at this particular time, I have to abstain on these particular entities right here until such a time as our Finance Chairman does something about it Wednesday and I hope he does.

Mr. O'Malley:

I'm going to vote aye because I don't think it would be fair for this Council to deny Arsenal Board of Trade or Brashear or Three Rivers Brass Band the help that they need for groups that we may or may not be able to help. I think what we should do is pass this legislation now and look into helping the other groups later on in the week.

Mr. Wagner:

I vote aye and I'd like to say that last Wednesday in the Committee Meeting I requested information from Parks and Recreation pertaining to the appropriations of the County to these various organizations. I have copies of that if anyone would like to have it. In some instances, we are actually contributing more dollars than the County is when, in fact, people outside the City are probably using these events more so than City residents. I vote aye.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes. and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone

Mr. Robinson (Pres't)

AYES 7 NOES none

(MR. GIVENS ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Wagner presented

Bill No. 178

Report of the Committee on Engineering and Construction for February 1, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 100

A Resolution entitled, "Resolution amending Resolution No. 1385, approved December 27, 1982, effective January 1, 1983, entitled, 'Adopting and Approving the 1983 Capital Budget and the 1983 Community Development Block Grant Program; and approving the 1983 through 1988 Capital Improvement Program', by increasing a line item and adjusting the Summary Totals."

Which was read.

Also,

Bill No. 101

A Resolution entitled, "Resolution amending Resolution No. 762, approved August 24, 1983, effective September 6, 1983, entitled, 'Providing for a contract or contracts, including the use of existing contracts, for construction in connection with renovation of Cell Block, Public Safety Building; and providing for the payment of the cost thereof,' by increasing the project allocation by Two Hundred Ten Thousand ($210,000.00) Dollars."

Which was read.

Also,

Bill No. 102

A Resolution entitled, "Resolution further amending Resolution No. 815, approved July 30, 1982, effective August 17, 1982, as amended by Resolution No. 646, approved July 25, 1983, effective August 1, 1982, entitled, 'Providing for a Contract or Contracts for the Reconstruction of the Stadium Street Retaining Wall from Radcliffe Street to Stafford Street, including necessary work on private property and other work incidental thereto; and providing for the payment of the cost thereof,' by increasing the project allocation by Thirty Thousand ($30,000.00) Dollars."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Grabowski:

Mr. Stone, one correction. I mentioned this to the City Clerk but on the Water Authority bill, just a technical thing, my address is incorrect and I would like that correctly stated in the bill.

Mr. Perry:

It's corrected.

And on the motion of **Mr. Woods**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, February 13, 1984 No. 7

Municipal Record

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, February 13, 1984

PRESENT:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Mr. O'Malley	Mr. Woods (Pres. Pro tem)

ABSENT:

Michelle Madoff	Mr. Stone
Mrs. Masloff	

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Robinson:

Mr. President and members of Council, I have a very sad task to perform at this time and I would certainly appreciate your indulgence in that regard.

As many of you may be aware, last week we lost three distinguished Pittsburghers to death. These were individuals who most of us are familiar with, most of us have had some association with them. Unfortunately, we cannot control the time that we spend here on this earth, the time that we come or the time that we leave, but certainly we have some control over that which we do while we're here and the three individuals I'd like to honor today, I think, made some outstanding contributions to our community, as many before them have. It's just unfortunate that three of them passed within seven days of one another. They were individuals who I think had a great deal to do with the progress that this City made in the 1960's and 1970's. While there were differences in their age, their style and their sex, they certainly were involved in making this a better city.

I thought it would be a fine tribute for this Council to so honor them with a resolution and to see to it that their families receive copies of this resolution and that the individuals were so honored that they become a part of our permanent history as far as the City is concerned and that their names and their works be forever remembered.

Mr. Robinson presents

Bill No. 219 WHEREAS, God in his infinite wisdom and mercy has seen fit to call to eternal slumber Henry Woods, a former member of the Commission on Human Relations, City of Pittsburgh, Charles Cooper, former Director of Parks and Recreation, City of Pittsburgh, and Mamie H. Lee, a dedicated community servant and former candidate for Council, City of Pittsburgh; and

WHEREAS, these three distinguished Pittsburghers succumbed to the ultimate end of the passage of time within the same week of February Nineteen Hundred Eighty Four; and

WHEREAS, their combined service to our City cannot be measured by time alone, nor the number of tasks performed, nor the energy of their endeavors; and

WHEREAS, words alone are inadequate to express our grief and sorrow upon their passing on to their final rewards.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and Council of the City of Pittsburgh does honor the works and accomplishments of Henry Woods, Charles Cooper, and Mamie H. Lee and does extend sympathy to the family, associates, and many friends and loved ones whose lives have been enriched by these three tireless workers in service to all Pittsburghers.

Mr. Robinson moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Robinson:

Just in closing on this presentation, I'd like to say I had occasion to know all three of these individuals very personally and it was a very tragic loss to me personally and I'm sure to all who knew these three individuals. I can't ever remember a time in the history of this City, certainly in my memory, where three distinguished Pittsburghers passed within a seven day period. I certainly hope that each and every one of you will remember them and their families in your prayers. We have indeed suffered a loss but I'm sure the example that they have set for all of us we will follow and will continue to make this a great City.

On a happier note, I'd like to offer a resolution in honor of some very fine women who are doing an outstanding job in our community to make sure that everyone is participating in their civic duty, their civic responsibilities. I'm talking about the Alpha Kappa Alpha Sorority, Incorporated.

I'd like to have Mrs. Madeline M. Harriston come forward if she will. Mrs. Harriston is a retired Dean of Students at Milliones Middle School. She is the past National Board of Directors of the Alpha Kappa Alpha Sorority and presently serving wit the Alpha Kappa Alpha Convention which is being held next week here in our City. She is Vice-President of the Board of Directors of the Pittsburgh Camp Fire Girls Incorporated, Secretary of the Board of Trustees of St. James AME Church and President of two social and civic organizations in or community.

Also to be with us today is Mrs. Mary Jane Page, Principal of Preston Elementary School. I don't see Mrs. Page here but she is the newly appointed person to the Board of Trustees of the

University of Pittsburgh and we certainly want to congratulate her on that. She's Treasurer of the Great Memorial Presbyterian Church and the Financial Secretary of the Pittsburgh Chapter of the Alpha Kappa Alpha Sorority.

These two young ladies are outstanding examples of the kind of people we have in our City representing sororities.

Mr. Robinson presents

Bill No. 220 WHEREAS, the Alpha Kappa Alpha Sorority, Incorporated is the oldest Greek-letter organization established in America by Black college women, having been founded in 1908 at Howard University, Washington, D.C.; and

WHEREAS, this national service organization is 75,000 members strong and shall be celebrating its Diamond Jubilee in the nation's capitol in July, 1984; and

WHEREAS, Alpha Alpha Omega Chapter, chartered in the City of Pittsburgh in 1927, will be celebrating the sorority's Founders' Day on Friday, February 17th and Saturday, February 18th throughout the City of Pittsburgh on a theme of "Women: Energizing Our Political Power in 1984"; and

WHEREAS, the five hundred members of Alpha Kappa Alpha here in the Greater Pittsburgh area are actively engaged in voter education, voter registration, and the promotion of citizen participation in all forms of government and are renewing their long-standing commitment to the organization's goals of sisterhood and unity.

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims Saturday, February 18, 1984 as "Alpha Kappa Alpha Sorority, Alpha Alpha Omega Chapter Founders' Day", throughout the City of Pittsburgh, and extends the City's warmest welcome to Supreme Basileus Faye B. Bryant, of Houston, Texas, together with all the many Pittsburgh sorors of whom the City is so proud.

Mr. Robinson moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mrs. Harriston:

Thank you very much.

Good afternoon. On behalf of Alpha Alpha Omega Chapter, believe it or not, Kappa Beta Chapter, California State's Campus, and Kappa Zeta at Clarion State, I accept this wonderful resolution for the Chapter. I wish that it could be mine but being a part of Alpha Kappa Alpha means that we are a part of the network of 75,000 women strong. Our theme for this is "Our Thrust for Power", economic power, political power, social power, voting power, heritage, and power to deal with the elderly.

We certainly appreciate your making this resolution possible and you know how much we love you, the kind of respect we have for what goes on in City Council. I have been a part of the Margaret Milliones Middle School from whence he came and we had a very, very high regard for anything that he does in City Council.

I thank you for the award. I wish some of you could be available to

participate with us in our Founders' Celebration. During the month of February, Chapters all over the United States, the Islands and in Germany, will be celebrating Founders' Day.

Thank you very much.

Mr. Robinson:

I'd just like to mention that I have been asked to present these resolutions again on the 18th of February at the Founders' Day luncheon for Alpha Kappa Alpha at the William Penn Hotel at 12:30.

Certainly I want to thank each and every member of Council for being so gracious and kind to approve this resolution and I will be sure to send your best wishes along to the many sorors for their sticking with, I think, a very fine effort. This is one of the strongest and largest minority organizations in this country. If I'm not mistaken, there's 85,000.

Mrs. Harriston:

Over 75,000.

Mr. Robinson:

Over 75,000 AKA's in this country and certainly we're very proud in the minority community to have them active and working.

I want to thank you again, Mrs. Harriston.

Mrs. Harriston:

If Mr. Robinson had been a college female, he might have made it to Alpha Kappa Alpha.

Thank you.

Mr. Givens presented

No. 180 Resolution vacating Mann Street from Belonda Street to Grace Street in the 19th Ward of the City of Pittsburgh, excepting and reserving an easement for the 6 inch water line located therein.

Also,

No. 181 Communication from Louis R. Gaetano, Director, Dept. of Public Works, requesting authorization for William J. Newman to attend a one day seminar entitled, "National Electrical Safety Code", at the Greentree Marriott on March 28, 1984, at a cost not to exceed $200.00 payable from Community Communications Trust Fund. (CCTF)

Which were read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 182 Communication from George W. Jacoby, Director, Dept. of General Services, requesting authorization for himself to attend an Executive Level Seminar given by AT&T Information Systems in Philadelphia, PA on February 9-10, 1984, at a cost not to exceed $400.00 payable from Code Account No. 1128, Misc. Services, Dept. of General Services. Prior approval granted by Council February 7, 1984.

Which was read and referred to the Committee on General Services.

Mr. Grabowski for Michelle Madoff presented

No. 183 Resolution providing for the issuance of a warrant in favor of PB&S Chemical Company, Section 970, Louisville, KY 40289, in the amount of $5,664.75 chargeable to and payable

from Code Account No. 1750, Chemicals, Dept. of Water. Purpose is for the purchase of Liquid Chlorine.

Which was read and referred to the Committee on Finance.

Mr. O'Malley presented

No. 184 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the furnishing and delivery of Revolvers, at a cost not to exceed $30,000.00 payable from Code Account NO. 1457, Uniforms and Equipment, Dept. of Police.

Which was read and referred to the Committee on General Services.

Also,

No. 185 Resolution providing for an Agreement or Agreements with the Salvation Army for professional services in connection with the Public Inebriate Program, at a cost not to exceed $50,000.00 chargeable to and payable from Code Account No. 1447, Misc. Services, Dept. of Police.

Also,

No. 186 Resolution providing for an Agreement or Agreements effective January 1, 1984, with James K. Staud, VMD, for veterinarian services in connection with the treatment of dogs assigned to the Canine Unit of the Operations Branch of the Dept. of Police, at a cost not to exceed $3,000.00 chargeable to and payable from Code Account No. 1447, Misc. Services, Dept. of Police.

Which were read and referred to the Committee on Public Safety.

Mr. Robinson presented

No. 187 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 7 by changing from "C3" Commercial District to "R4" Multiple-Family Residence District certain property located on the northwest corner of LEDLE and CLIFF STREETS, 3rd Ward.

Also,

No. 188 Resolution providing for an Agreement or Agreements with consultant(s) to perform an aerial photographic survey for use in updating base maps of the City of Pittsburgh Dept. of City Planning, at a cost not to exceed $155,000.00 chargeable to and payable from CP 83-03, 4-35-01-0015 $50,000.00 and CP 84-03, 4-35-01-0015 $105,000.00.

Also,

No. 189 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in the amount of $1,859,800.00 to the Pennsylvania Department of Community Affairs for the J & L Project.

Also,

No. 190 Resolution approving the sale of Parcel 130 (7236 Kedron Street) in the 13th Ward of the City of Pittsburgh by and between the URA and Sandra Strader — Redevelopment Area No. 19. (Sideyard)

Also,

No. 191 Resolution approving execution of Contracts by and between the URA and various Redevelopers for the sale of properties in the 21st Ward — Redevelopment Area No. 27. (Resale for Rehabilitation)

Also,

No. 192 Resolution approving execution of Contracts by and between the URA and various Redevelopers for the sale of two properties in the 21st Ward — Redevelopment Area No. 27. (Resale of Rehabilitation)

Also,

No. 193 Resolution approving Contracts by and between the URA and various Redevelopers for the sale of properties in the City of Pittsburgh in the 10th, 13th, 18th and 25th Wards for the sum of $1.00, Property Management and Maintenance Program and Residential Land Reserve Fund. (PMMP Sideyard Sale)

Also,

No. 194 Resolution authorizing the URA of Pgh. to acquire that property in the 25th Ward of the City of Pgh. and designated as Block and Lot: 23-E-335 in the Deed Registyr Office of Allegheny County, under the RLRF, said property having been certified by the VPRC of the City of Pgh. and the Planning Commission of the City of Pittsburgh.

Also,

No. 195 Resolution authorizing the URA of Pgh. to acquire the property owned by North Side Associates, a Pennsylvania limited partnership, in the 26th Ward of the City of Pgh. designated in the Deed Registry Office of Allegheny County as Block and Lot 45-M-68.

Also,

No. 196 Resolution authorizing the URA of Pgh. to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in the 10th Ward of the City of Pgh. designated in the Deed Registry Office of Allegheny County as Block and Lots: 50-H-207, 50-H-208, NHF.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 197 Resolution authorizing the issuance of a warrant in favor of Tedesco Landscaping Contracting Corporation in the amount of $16,370.00 in payment for construction work at South Riverfront Park, chargeable to and payable from South Side Riverfront Trust Fund, SR in the Dept. of Engineering and Construction.

Also,

No. 198 Resolution providing for the issuance of a warrant in favor of Eastley, Inc. in the amount of $18,996.17 in payment for services provided in connection with the installation of a new heating system at the 4th Division of Public Works, chargeable to and payable from Code Account LB 83-14, 4-25-15-0001-83, Renovations of Various Public Buildings. Prior approval granted by Council Bill No. 4054, dated December 1, 1983.

Which were read and referred to the Committee on Finance.

Also,

No. 199 Resolution repealing Res. No. 539, appr. 7/12/76, eff. 7/22/76 entitled, "Providing for a Contract or Contracts for Intersection Improvements at the Brown's Hill and Beechwood Boulevard Intersection, at a cost not to exceed $742,000.00 chargeable to and payable from CTF - Public Works - Brown's Hill and Beechwood Boulevard Improvement Trust Fund and Water-

Waterlines on FAU Streets Trust Fund."

Also,

No. 200 Resolution further amending Res. No. 1430, appr. Dec. 29, 1980, eff. Jan. 1, 1981, as amended, entitled, "Adopting the 1981 Capital Budget and approving the 1981 through 1986 Capital Improvement Program", by retitling a Line Item.

Also,

No. 201 Resolution further amending Res. No. 894, appr. Aug. 26, 1982, eff. Sept. 1, 1982, as amended by Res. No. 944, appr. Sept. 24, 1982, eff. Oct. 8, 1982, entitled, "Providing for a Contract or Contracts for Superstructural Steel for the Bloomfield Bridge - Phase 3; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Dept. of Transportation; and providing for the payment of the cost thereof," by providing for the payment of the cost thereof from the Bloomfield Bridge Trust Fund; at a cost not to exceed $6,000,000.00 chargeable to and payable from the Bloomfield Bridge Trust Fund, Dept. of Engineering and Construction.

Also,

No. 202 Resolution providing for an Agreement or Agreements with Massaro Corporation (Joseph A. Massaro, Jr., Pres.) for Professional Consulting Services in connection with the establishment of the Dept. of Engineering and Construction, at a cost not to exceed $95,000.00 chargeable to and payable from Code Account PW 84-46, 4-01-35-0003-84.

Also,

No. 203 Communication from Paul J. McDermott, Director, Dept. of Engineering and Construction requesting interim approval for payment for work in connection with the General Construction Contract for the Riverview Park Pool and Bathhouse, at a cost not to exceed $500.00, payable from Riverview Park Trust Fund.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Wagner for Mr. Woods presented

No. 204 Resolution amending Res. No. 9, appr. Jan. 26, 1984, eff. Jan. 31, 1984, entitled, "Providing for the issuance of warrants to Paul Braunstein and Jane E. Braunstein, his wife in the amount of $5,654.13; Charles P. Ahnell, Jr., and Elizabeth W. Ahnell, his wife, in the amount of $10,565.80; James B. Cole and Shirley R. Cole, his wife, in the amount of $3,045.99; Anna Marie Fox Donahoe, in the amount of $776.73; Jane W. Finley, in the amount of $2,741.40; William D. Hibbert, a/k/a Bill Hibbert and Shirley Hibbert, in the amount of $799.57; Louis Marhoefer, in the amount of $6,282.36; Paul Murata, in the amount of $2,855.62; Snyder Brothers Moving, Inc., d/b/a George Transportation Company, in the amount of $5,000.00; Augustus B. Wadsworth and Grace Wadsworth, his wife, the amount of $2,078.89; Westinghouse Electric Co., in the amount of $159.91; James E. M. White, in the amount of $3,445.78; Theda Finkel, in the amount of $989.95; Florence Williams and Lawrence Williams, her husband, in the amount of $8,711.55; Mellon Bank, N.A. Executor of the Estate of Eileen H. McLaughin in the amount of $407.40; Frnaces Young, in the amount of $1,484.92 in full settlement of claims for property damages caused by a warehouse fire on August 23, 1978, payable from Code Account No. 46, Judgments also by

changing the names of various counsel listed in Section 1.

Also,

No. 205 Resolution providing for the issuance of a warrant to Ralph and Bernadine Ziviello in the amount of $5,159.19, in full settlement, chargeable to and payable from Code Account No. 46, Judgments. Injuries sustained by a fall on steps located on Broadway at Coast Street.

Also,

No. 206 Resolution providing for the issuance of a warrant to Rose Voegler, c/o John T. Bender, Esquire, 1817 Frick Building, Pgh., PA 15219 in the amount of $4,130.10 in full settlement of a claim for a falldown accident on City property and providing for the payment thereof.

Also,

No. 207 Resolution transferring One Hundred and Fifth Thousand Dollars ($150,000.00) from code Account 49, Reserve Fund - Sewage Service Changes, A.C.S.A. Department of Finance, to the FICA Refund Trust Fund (FICARTF), and authorizing the reimbursement to Code Account 49, Reserve Fund - Sewage Service Changes, A.C.S.A., Department of Finance of such transfer upon receipt of sufficent funds for such a reimbursement.

Also,

No. 208 Resolution authorizing the establishment of a Trust Fund to be entitled FICA Refund Trust Fund (FICARTF), authoizing the Mayor and the Director of Finance to enter into an Agreement or Agreements with CTA, Inc., for services related to the recovery of FICA Tax Reimbursements to the City and its employees for tax payments for benefits paid to employees for sick leave, such contract not to exceed $150,000.00 chargeable to and payable from the FICA Refund Trust Fund (FICARTF) further authorizing the deposit of such FICA Tax Refunds into the FICA Refund Trust Fund (FICARTF), and further authorizing the disbursement of such refunds net of direct recovery cost and expense, to the City and its employees for such tax refunds.

Also,

No. 209 Resolution authorizing the Mayor and the Director of Finance, on behalf of the City of Pittsburgh, County of Allegheny and School District of Pittsburgh to transfer its rights, title and interest, if any, for certain Three Taxing Bodies' property in the 23rd Ward of the City of Pittsburgh to the Pennsylvania Dept. of Transportation for a total consideration of $8,300.00. Deed to be in Quit Claim form.

Also,

No. 210 Communication from Melanie J. Smith, Director, Dept. of Personnel and Civil Service Commission, requesting authorization for Gail Erny to attend a seminar on "Managing Risk: The Establishment of Job-Related Medical Standards", on February 23, 1984 at the Hershey Philadelphia Hotel in Philadelphia, PA. The purpose of attending this seminar is to stay abreast of the latest developments in the area of establishing job-related medical and EEO standards, at a cost not to exceed $530.00 payable from Code Account No. 1100, Misc. Services.

Also,

No. 211 Communication from Melanie J. Smith, Director, Dept. of Personnel and Civil Service Commission,

requesting authorization for herself, Georgine Scarpino, Barbara A. Brown and David Farley to attend the Mid-Atlantic Association of Prime Sponsors Conference in Pittsburgh on February 16-17, 1984, at a cost not to exceed $135.00 payable from the JTPA 1 Trust Fund, federal funds. The purpose of this meeting is to share information on the administration of Job Training Partnership Act.

Also,

No. 212 Communication from Ronald C. Schmeiser, Director, Dept. of Finance, requesting authorization for himself and Stephen Schillo to attend the 1984 Annual Conference of the Municipal Finance Officers Association in San Antonio, Texas from April 13-18, 1984, at a cost not to exceed $2,900.00 payable from Code Account No. 1063, Misc. Services, Dept. of Finance.

Also,

No. 213 Communication from Michael Perry, City Clerk, requesting permission for Peter Vaughn, Assistant Operating Budget Controller, and Albert D'Allessandro, Assistant Capital Budget Controller to attend the Municipal Finance Officers Association Annual Conference to be held in San Antonio, Texas, April 13-18, 1984, at a cost not to exceed $3,200.00 chargeable to and payable from Code Account No. 1001-1, Misc. Services, Supplies, Equipment, City Council.

Also,

No. 214 Communication from Edward A. Walkowski, Manager, City Information Systems, requesting authorization for Rhett J. McPeake to attend a Honeywell Sofware Course in Atlanta, Georgia from March 5-16, 1984, at a cost not to exceed $3,350.00 payable from Code Account No. 1043, Misc. Services, City Information Systems, Dept. of the Mayor.

Which were severally read and referred to the Committee on Finance.

Also,

No. 215 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Maps No'd. 6 & 7 by changing from "A1" Commercial-Residential Associated District to "C3" Commercial District certain properties in the Allegheny West Community in the vicinity of WESTERN AVENUE and ALLEGHENY AVENUE, 22nd Ward.
—(SPONSORED BY MR. WOODS)

Which was read and referred to the Committee on Planning, Housing and Development.

REPORTS OF COMMITTEES

Mr. Wagner for Mr. Woods presented

Bill No. 216

Report of the Committee on Finance for February 8, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 118

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Physician or Physicians (Joseph M. Mazzei, M.D.) for professional services in connection with the examination of candidates for employment such as, police officers, firefighters, paramedics, school crossing

guards, and extra helpers; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 119

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Court Reporter or Reporters (Ruth Y. Law) in connection with the taking of testimony at Civil Service Commission and Appeals Board hearings; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 120

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Laboratory or Laboratories (Roche Biomedical Laboratories) for professional services in connection with tests for City of Pittsburgh employees; and providing for the payment thereof."

Which was read.

Mr. Givens:

I'd like to discuss Bill No. 120. As you recall, Ben, I was not here Wednesday but what is this Bill 120? Does anybody know? Providing for agreement or agreements with laboratories for professional services in connection with tests to the City of Pittsburgh employees. Is this a one-shot deal?

The Chair, Pro tem:

I believe it came out of Parks and Recreation for the people who work at the Aviary and work with plants. They use different chemicals and they have to be tested once a year to see what level they have received in their system and when they receive a certain level then they can't work there for a while and they take them out of that particular department.

Mr. Givens:

Okay. So, this is not spot checking of people who might be under drugs or the influence or anything like that?

The Chair, Pro tem:

It's just for that one department out there. They do it every year.

Mr. Givens:

Thank you.

Also,

Bill No. 121

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various hospitals and/or physicians (Central Medical Center and Hospital) for professional services in connection with the Administration and evaluation of medical examinations and tests for the Civil Service Commission's Medical Examination Program for police officer candidates, firefighter candidates, and other candidates for employment and promotion; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the

bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Mr. O'Malley	Mr. Woods (Pres. Pro tem)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 122

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for professional services in connection with the research, preparation, evaluation, administration, and validation of Civil Service entrance and promotional examinations; and providing for the payment of the cost thereof."

Which was read.

Mr. Givens:

On Bill 122, there are four bills that I held last week that will be coming up this Wednesday that deal exactly — This is a resolution providing for an agreement or agreements with a consultant or consultants for professional services. It doesn't say in the bill who these people are, if you can recall, but most of them are tied in to police and fire examinations and also consultant services are the people that we got in trouble with with the Pittsburgh Psychological Services. I want to know who this — I'd like for the bill to be held pending the review of the discussions of four bills that are directing at the various consultants that we will be hiring within the City of Pittsburgh in the future. I think this is the bill that pertains to it. These four bills will be coming up Wednesday; it has to do primarily with the hiring of the police officers in the last class. Here we are coming up again.

I'd like, if we could, if someone would make a second to this motion, that we could hear the arguments Wednesday and then pass on this bill at the same time.

I move to recommit Bill No. 122.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also,

Bill No. 153

A Resolution entitled, "Resolution amending Resolution No. 21, approved February 2, 1984, entitled, 'Providing for the issuance of a warrant in favor of Noralco Corporation in the amount of Four Hundred Forty Thousand Six Hundred Twenty Five ($440,625.00) Dollars in payment for an Emergency Contract furnished for the benefit of the City in connection with the E. Sycamore Street Hillside Stabilization, including necessary work on private property and other work incidental thereto; and providing for the payment thereof,' by amending Section 1 to include the name of the Contractor."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Mr. O'Malley	Mr. Woods (Pres. Pro tem)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

Bill No. 217

Report of the Committee on Public Works for February 8, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 109

A Resolution entitled, "Resolution vacating Moravian Way, from Avery Street to Lockhart Street in the 23rd Ward of the City of Pittsburgh, excepting and reserving an easement of the 15 inch sewer line located therein, in the 23rd Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 110

A Resolution entitled, "Resolution vacating Moranian Way from Avery Street to Virgin Way in the 23rd Ward of the City of Pittsburgh, excepting and reserving an easement for the 15 inch sewer line located therein."

Which was read.

Also,

Bill No. 111

A Resolution entitled, "Resolution granting unto Nicholas Sorozak, his successors and assigns, a fifteen (15) foot sanitary sewer easement to maintain and use at his own cost and expense, in the 20th Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 135

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the State of Pennsylvania, Department of Environmental Resources for a grant in connection with a Rodent Source Elimination Project in the 12th Ward of the City of Pittsburgh; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Rodent Source Elimination Project in the 12th Ward of the City of Pittsburgh; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Mr. O'Malley	Mr. Woods (Pres. Pro tem)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

Bill No. 218

Report of the Committee on Planning, Housing and Development for February 8, 1984 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 90

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title One - Administrative, Article IX - Boards, Commissions and Authorities, Chapter 174 - Vacant Property Review Committee, Section 174.02 - Composition, by deleting the Director of the Department of Lands and Buildings as a member of the Vacant Property Review Committee and adding the Assistant Director of Real Estate, Department of Finance." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Mr. O'Mallev	Mr. Woods (Pres. Pro tem)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 219

Report of the Committee on Engineering and Construction for February 8, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 99

A Resolution entitled, "Resolution amending Resolution No. 784, approved July 30, 1982, effective August 12, 1982, entitled, 'Providing for a Contract or

Contracts for Sewer Reconstruction on S. Craig Street from Fifth Avenue to 100 ft. ± south of Forbes Avenue, including necessary work on private property and other work incidental thereto; and providing for the payment of the cost thereof,' by increasing the project allocation by Fifth Thousand ($50,000.00) Dollars."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Mr. O'Malley	Mr. Woods (Pres. Pro tem)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Robinson:

Just a moment, if I might, Mr. President. As Council may be aware, some time ago, I guess about two months ago, this Council approved the purchase of the old J & L site on the South Side by our Urban Redevelopment Authority for a possible future development. The Urban Redevelopment Authority is in the process of applying for a grant from the Department of Community Affairs, Commonwealth of Pennsylvania, in the total of $1,859,800.00. This amount represents a small portion of what it's going to take to develop that site. I am concerned that we do what we can here in City Government to assist the Urban Redevelopment Authority and the eventual developers in getting the necessary money, not only to develop that site, but to engage in a significant economic development in this end of the state.

In that regard, I'd like to remind Council that the State Legislature is considering the Thornburg budget at this time and there are monies designated for the Department of Community Affairs, there are monies designated for the Discretionary Fund. It is out of that Discretionary Fund that the Urban Redevelopment Authority hopes to get money for the J & L project and others. I think it would be in our best interest if we would send a letter to our Allegheny County Delegation, to the State Legislature, requesting their support of the efforts of the Urban Redevelopment Authority to get money for the J & L site development and other economic development monies so badly needed in our City. I think it would do us well to also contact directly the Speaker of the House, Representative K. Leroy Irvis who does represent the City of Pittsburgh also in State Legislature, to ask for his assistance in making sure that Western Pennsylvania, specifically the City of Pittsburgh, gets the money that is necessary to develop sites such as the J & L site. This particular development could mean hundreds of jobs in our area; it certainly will generate the economy of this area.

I think that we need to do all that we can to make sure that every vacant building, every vacant industrial site, in our City in developed. If Council is so disposed, I think letters would be

appropriate and any other assistance that members of Council might give, I'm sure would be appreciated by the Urban Redevelopment Authority.

The Chair, Pro tem:

I concur with you, Mr. Robinson. Is there any objections to sending a letter through Mr. Perry, our City Clerk?

Mr. O'Malley:

I think Mr. Robinson should make that in the form of a motion and I'll be glad to second it.

Mr. Robinson:

So moved.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Givens:

I'd like to ask for a post agenda this coming Wednesday on the ConAgra Agreement. I would like to invite someone from the Controller's Office in regards to the deed transfer tax. It appears that the City of Pittsburgh and some other governmental agencies are being shortchanged to the tune of $100,000.00.

For you who did not hear the 12:00 news or the latest news, Kroger has now folded their tent in the Southwestern Pennsylvania, especially that of Allegheny County and the City of Pittsburgh. They are going to sell to independent store owners and Fox Food Distribution, I guess, will be the people who will do it. But it's a sad note and if anything I can say — You talked about unfair labor practices; how would any of us like to work for a company for 15 or 20 years, some of theses people have 20 years with their invested pension rights and everything else, and now be told that they cannot ever again go to work with a particular company. I think somewhere, someplace, this Council, the Mayor's Office, the Allegheny Conference, we must get together and see what is happening to our area around here. ConAgra is just one with the old Armour meat packing plant. We have the Dravo people who are on strike, a member of the Allegheny Conference. We have Station Square people at the Grande Concourse that are having problems right now. We see that U.S. Steel, a part again of this Allegheny Conference, who is buying national steel out in Indiana and Chicago and that area, leaving and just ripping apart our Mon Valley right here.

What are we, as elected officials, what is the Mayor, what are the Commissioners going to do to stop the erosion of our labor power in this valley that we so dearly hold to our hearts? I think something has to be done and done immediately. I feel very frustrated when I feel that Krogers is going to go out and just sell to independent dealers and they're just going to undercut. That's fair practice of business and we can't do anything about that. But what about the souls and the families and the children of all the people who worked for Krogers and what's going to happen to them? The same thing is happening to ConAgra.

I say to this Council, I say to this Mayor, I say to this Governor and our Commissioners, that we must do something that if this is the case, then I say to the people in the neighborhoods, you buy that store, you start up a store co-op and do away with the middleman, do away with the Fox Industries, etc. because what they're telling your people is, they want you to shop at their store but they want to cut out all the people who work from that community in that store. It's not just one, it's about five or

six major companies and many of these tie into our Allegheny Conference. When are we going to wake up in this Council and start doing something about it? I know this Councilman wants to do something about it and I think the rest of you want to do something about it. But I think we need a summit meeting and we need that summit meeting so fast and so quick that all of our heads would spin and we should sit down in this Council here and start talking to one another, start talking to the people of the Allegheny Conference, start talking to our State Governor and ask him to do something to revive what's happening here. Otherwise, I suggest to the people, as I so indicated, that they take their own businesses into their own hands, we start up our own mom and pop stores and we forget about big business because big business is raping this area right before my eyes and I feel very sad today to give this announcement to our own Council. But, come Wednesday, we will at least look at the post agenda on ConAgra, one specific area.

Also, Ben, I would like to have someone from the County who does the assessment of these factories, etc., that indicated that they were underpriced, that when all of the billings had come out, etc., that the Armour meat packing plant that we had there was totally underassessed, apparently, that they could come out with a tax stamp almost $100,000.00 cheaper than what they could. It's hard for me to conceive when we're talking about holding jobs, I don't know whether it was before or after, when the IDA, the Industrial Development Authority of Allegheny County, gave this ConAgra a $10 million loan to fix up their company so we could hire our Armour people back. They told Armour, "You can forget about the Armour contracts, you can forget about those labor contracts. To hell with you in the City of Pittsburgh and Allegheny County. We'll take you $10 million and we want you people to come back at $5.00 an hour." You figure it out. Any family man, can he live on $5.00 an hour? The answer to that is absolutely not.

The snowball is beginning to roll up at the top of the mountain and I hope before it gets down here it's not an avalanche and all of us get buried underneath it. That's what's happening and I just want to relay my feelings to you, Ben, at this time and take some leadership role in trying to bring this about, as all Councilmembers, I hope, will and I hope Wednesday is the kick-off point from this Council and from here on in we start developing it. We are the grass-roots; let's tell our own people, then, that it will start here and it will move from here.

Thank you.

The Chair, Pro tem:

If I may, I think we all are in agreement but we had a post agenda two weeks ago and we directed the City Solicitor to look into it and I think he's already started that process. We did meet with ConAgra and the people with SNAC two weeks ago on that same issue you're talking about at a post agenda. Also, at that post agenda was the City Controller and he is looking into it from his end. But, if you want another one, I have no problems with it.

Mr. Givens:

This will be a report that will come from our Controller's Office to this Council. You know, sometimes our Administration, and that's the flag that I'm waving, is not moving fast enough. Apparently the Controller of the City of Pittsburgh wants to come back and report to this Council on his findings.

The Chair, Pro tem:

You want a post agenda on what they've done so far on that issue?

Mr. Givens:

That's right. This Wednesday. And to invite our own people up who were here previously.

Mr. Wagner:

Mr. President, I think there's a need for us as elected officials to begin to address this problem a little more seriously in terms of the possibility of setting up a committee consisting of elected officials from the City, County, possibly the State, possibly from Allegheny Conference, to address the problem of plant closings, the relocation of plants, the loss of jobs.

In my short five or six weeks on Council, we have had three or four occasions already where we have had either plants close or the loss of jobs or a relocation of the work and I think the purpose of this Committee should be not to take a side with labor or management but a neutral position in the hopes that we could increase and enhance the communications between the two groups.

Let me ask this question. Is there a committee of that type in existence today?

The Chair, Pro tem:

It's my understanding, I guess that's what Allegheny Conference is supposed to be doing and it's evident that the job is not getting done. Perhaps you're right and I think we all agree that we have to do something so I think maybe we should look into that immediately and try to do something else.

Mr. Robinson:

If I might follow up on Mr. Wagner's concern, I think it's very well taken and certainly as Chairman of Planning, Housing and Development for this Council, I'd be more than happy to work on any committee that this Council would establish that deals with economic development and some of the related problems. I think, also, this Council should be aware that the Allegheny Conference on Community Development, some one year ago, did establish a major committee to look into the economic condition of our Wester Pennsylvania Region. They did issue a report, they did appoint some subcommittees. At that time, I had indicated I thought that it would be appropriate for this Council, through various members, to be represented on those subcommittees. To my knowledge, there are no members of this Council on any of those subcommittees, even though those committees are in the process of making some preliminary plans which include the City of Pittsburgh. I think it is incumbent upon us to indicate to everyone in the private sector who is working to improve this City who might need the help of City government that they might want to involve members of this Council at the appropriate time. Far too often we are confronted with plans and preparations that others have made for us and then we're asked to sanction them, to give a stamp of approval. I think we have borne the brunt of the plant closing issue, we have borne the brunt of wokers layoffs, we have borne the brunt of union frustration with management; yet, we have been least prepared to even begin to identify the problem much less give any answers. I think before we entertain one more group, one more problem or one more piece of legislation dealing with labor management problems, we ought to find out what involvement the City of

Pittsburgh has, the Administration or this Council, with the Allegheny Conference efforts to revitalize this area and I think we ought to insist that we have a role in that process. We have a legitimate right to have a role in that process because I think there's every anticipation that the City of Pittsburgh will be cooperating in revitalizing this area. I think we need to let it be known that if we're going to have to take the brunt of the problems, then we want a full role in trying to identify some solutions. I would hope that the leadership on this Council would move very quickly to do that because I think Mr. Wagner's point is well taken and I anticipate that we have not seen the last of the kinds of problems exemplified by the ConAgra situation, Giant Eagle, Kroger, Nabisco, and many others that we could mention. I think if we're going to maintain our credibility and our effectiveness, we must insist on being involved in any effort to revitalize Western Pennsylvania, specifically the City of Pittsburgh, and I think we must insist that the appropriate people on this Council be involved in that process.

The Chair, Pro tem:

I totally agree with both of you and I'd like to take it one step further; that we have to get other elected officials involved in this thing. Just like you said, we take the brunt of everything and we've got very little control, if any, over it. We have to start getting our Legislators involved and we're going to have to drag them in, our State Senators, our U.S. Congressmen, and our U.S. Senators. We have one from this part of the state and all we hear is a lot of rhetoric. We have a Governor from this part of the state and all we hear is rhetoric. So, have to bring these people in plus our Commissioners. I agree. I think it's about time we did something and we should start doing it immediately. I'll work to that end.

Mr. Givens:

Ben, I think tomorrow, then, I would so ask the Chief Clerk that I'd like to have the President or one of the chief spokesmen for the Allegheny County Development Authority, the IDA, that has the $10 million loan, a 3 percent loan, to this ConAgra. I'd like to put that thing on hold and I'd like that personally to be discussed by this Councilman and the people from the IDA. They're an authority. I hope they show up, Mike, and I hope you get the President of that Authority to come on down here. I would hate to see ConAgra get $10 million of our tax paying dollars to turn around and tell our unions to go to hell and come back to work, the meat cutters, for five dollars and some cents and hour. They are not going to get one penny of that if I have anything to say about it and I would like to put some type of a moratorium on that $10 million right now and I'd like to invite them over here Wednesday to tell us what they are going to do; if they're going to hold this or give it to the ConAgra people or not. They are not going to continue to rape our people and if so, this government will step in and if we have to do it on our own, we can do it on our own. We can buy stores and turn them over to the people using our own tax dollars to do it. We are not going to be raped by the multi-national corporations that are coming in here doing the trick and the job that they are doing in this particular, more so than any other area of the country. You can call it union-busting or anything else but when you cut out the legs of a person who is the head of a household and trying to support a family, then that's when I say it's time for us to move in.

Mr. Wagner:

In reference to a point made earlier by Mr. Robinson regarding the Jones and Laughlin site for an industrial park, I would like to see this Council send a letter to the Department of Transportation to investigate the possibility of providing an exit ramp from the Parkway East going west to east for better accessibility to that area. At the present time, there is accessibility coming from the opposite direction with the Bates Street exit but there is not coming from the major arteries of 79 North, 79 South, the Parkway West from the airport, and I think that would play a tremendous impact in terms of bringing potential companies into that proposed industrial site. I think we need to act on it early and see if the potential of getting some federal or state funds involved to actually construct an exit ramp in that area.

So, I move that we initiate a letter to PennDOT along those lines.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. Robinson moved to excuse Michelle Madoff, Mrs. Masloff and Mr. Stone for absence from the meeting.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Robinson moved to approve the minutes of Monday, January 30, 1984.

Mr. Givens seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Robinson**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, February 20, 1984 No. 8

Municipal Record

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, February 20, 1984

PRESENT:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

ABSENT:

Mr. Givens
Michelle Madoff

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Robinson:

Mr. President and members of Council, it is indeed a distinct honor and privilege to present Resolution No. 78 on behalf of the National conference of Christians and Jews to designate Sisterhood and Brotherhood Week in our City.

On this Thursday, February 23, 1984 at 12:00 noon, the first annual Sisterhood and Brotherhood luncheon will be held at the Station Square Sheraton Hotel.

Our guests today are Miss Betty Pickett who is the Executive Director of the National Conference of Christians and Jews of Western Pennsylvania and West Virginia and Dr. Mary Ann Coffey who is the Co-Chairperson of the Pittsburgh National Conference of Christians and Jews affiliate here.

They will give more details on the luncheon and the fine work of NCCJ in this region. If Miss Pickett and Dr. Coffey will come forward at this time, please, to receive this resolution.

I am doubly honored to have Miss Pickett here today because I serve on the Board of Directors of the National Conference of Christians and Jews and have long admired her dedication, hard work, and commitment to racial, religious and sexual equality. She also serves on our City of Pittsburgh Minority Business Enterprise Review Committee.

Many of you, of course, are aware

of Dr. Coffey's fine activities. She served on our Personnel Appeals Board here in the City for a period of time and is an outstanding administration at the University of Pittsburgh and I'm very pleased to have her as a neighbor; we live in the same community.

Both of these ladies are outstanding and I'd like to present this resolution and then they will have some brief comments for us.

Mr. Robinson presents

Bill No. 278 WHEREAS, the National Conference of Christians and Jews will celebrate the Fiftieth Anniversary of Brotherhood/Sisterhood Week February 19 through February 25, 1984; and

WHEREAS, the National Conference of Christians and Jews recognizes that struggles among groups are inevitable in a pluralistic society that allows free expression of aspirations and promises equality of opportunity in fulfilling expectations; and

WHEREAS, Brotherhood/Sisterhood Week symbolizes that justice in a pluralistic society depends on the ability and determination of the distinctive competing groups to interact as peers, free of demanding prejudice and attitudes of patronizing superiority toward one another; and

WHEREAS, in 1934, Father Hugh L. McMenamin of Denver, Colorado inspired the first observance of what was then called Brotherhood Week.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh, on behalf of its citizens, does recognize that all religious, all races, all ethnic communities, men and women, young and old, employees and employers, governors and the governed, can and must be heard and their fundamental rights guaranteed, not by total agreement, but by learning to keep strategies and needs fair.

BE IT FURTHER RESOLVED, that the Mayor and the Council of the City of Pittsburgh does proclaim February 19 through February 25, 1984 as Brotherhood/Sisterhood Week in the City of Pittsburgh.

Mr. Robinson moved to adopt the resolution.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Miss Pickett:

Thank you Councilman Robinson, Mr. President and all Councilmembers. It is my pleasure to accept this for Brotherhood/Sisterhood Week. As you know, this is the 50th anniversary and we are hoping that with the first annual luncheon we will begin another 50 years of trying to make the ideals of Brotherhood/Sisterhood Week a daily practice that will go on 365 days a year rather than just once a week throughout the year.

Dr. Coffey:

On behalf of my fellow Co-Chairs who could not be here today, George Thomas, Katherine Butchko and Allen Berkman, I want to thank you, President Stone and Councilman Robinson, all the rest of the City Councilmen and Councilwomen here, for the opportunity you have given NCCJ through the years. It is with humility that we stand before you and thank you for facilitating our constant efforts toward achieving brotherhood, in different ways at

different times, but always with your support. We look forward to your help for the next 50 years.

Thank you.

The Chair:

Thank you.

Mr. Wagner:

Mr. President and members of Council, we have here before us today a resolution that's the result of a public hearing which we had last Thursday for Union Switch and Signal employees.

Mr. Wagner presents

Bill No. 279 WHEREAS, Union Switch and Signal division of American Standard, Inc. is a major area manufacturing concern, employing hundreds of Pittsburgh residents; and

WHEREAS, Union Switch and Signal has been awarded a $19 million contract for the Port Authority of Allegheny County (PAT) Light Rail Transit (LRT) Project; and

WHEREAS, Union Switch and Signal has now admitted, after the awarding of this contract, that much of this intricate wiring work will be performed in a new out-of-state US & S facility by workers who have much less experience; and

WHEREAS, Pittsburgh and other Southwestern Pennsylvania communities have been devastated by plant closings and runaway shops, resulting in serious job losses and greatly jeopardizing the job security of other area residents; and

WHEREAS, Pittsburgh taxpayers are contributing a significant portion of the funding for the LRT Project.

NOW, THEREFORE,

BE IT RESOLVED, that

1. This Council is in complete opposition to any US & S plans to have PAT work performed out-of-state.

2. This Council urges Union Switch and Signal to perform all PAT work in the Pittsburgh metropolitan area, where it has highly experienced workers ready and able to perform the work.

3. This Council urges that the Port Authority of Allegheny County require that Union Switch and Signal perform the LRT manufacturing work at its Swissvale facility.

Mr. Wagner moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Wagner:

Unfortunately, none of the Union Switch & Signal people could be here today. Most of them had to take a day away from work last Thursday for the public hearing and they couldn't do it twice. But as a result of that public hearing, we have requested that all elected officials get involved at all levels beginning at the federal level, the state level, the county and the local level rather than just this Council and our Mayor and Commissioners to address this problem. We're also asking the Port Authority to attempt to set up a meeting with the executives of Union Switch & Signal to see if this work can be done in Allegheny County.

Thank you.

Mr. Grabowski for Mr. Givens presented

No. 222 Resolution granting unto Joseph Ambrogio, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a patio encroachment on a portion of unimproved Saline Street in the 15th Ward of the City of Pittsburgh.

Also,

No. 223 Resolution providing for a Contract or Contracts for the furnishing and installing and/or reinstalling steel guardrails and facilities related thereto at various locations within the City of Pittsburgh, and other work incidental thereto; and providing for the payment of the cost thereof. Funds are available in Code Account PW 84-48, 4-01-30-0020-84, Flex Beam (Guard Rail) Contract.

Also,

No. 224 Resolution providing for a Contract or Contracts, or the utilization of existing Contracts, authorizing the resurfacing of various City streets and park roads with bituminous materials, including asphalt milling, planing, regrading, recurbing, and other work incidental thereto, and providing for the payment and costs thereof. Funds are available in Code Account PW 84-01, 4-01-01-0001-84, Citywide Resurfacing Program.

Also,

No. 225 Resolution amending Res. No. 1210, appr. Dec. 27, 1983, eff. Jan. 1, 1984, entitled: "Adopting the 1984 Capital and the 1984 Community Development Block Grant Program; and approving the 1984 through 1989 Capital Improvement Program," by creating new line items, and adjusting and correcting the summary totals.

Which were severally read and referred to the Committee on Public Works.

Mrs. Masloff for Michelle Madoff presented

No. 226 Communication from Daryl H. Smith, Director, Dept. of Water, requesting permission for J.T. Bruecken, and John A. Stahoviak to attend the Water Works Association Annual Conference to be held in Dallas, Texas, June 10-15, 1984, at a cost not to exceed $2,500.00 chargeable to and payable from Code Account 1930, Miscellaneous Services, Dept. of Water.

Which was read and referred to the Committee on Water.

Mrs. Masloff presented

No. 227 Resolution providing for an Agreement or Agreements with Pittsburgh Allegheny County Cultural Services for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed $20,000.00 chargeable to and payable from Code Account 1838, Recreational Activities, Misc. Services, Dept. of Parks and Recreation.

Also,

No. 228 Resolution providing for an Agreement or Agreements with the North American Fencing Corporation and James McClowry, M.D. for the installation of chain link fence at the site of the Conservatory Aviary, at no cost to the City.

Also,

No. 229 Communication from Louise R. Brown, Director, Dept. of

Parks and Recreation, requesting interim approval for the purchase of various rare birds for the Pittsburgh Aviary, at a cost not to exceed $6,000.00 chargeable to and from the Aviary Trust Fund, Dept. of Parks and Recreation.

Also,

No. 230 Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting permission for Michael A. Senko, Senior Service Coordinator, to attend the National Council on Aging, Inc. Annual Conference at the Sheraton Washington Hotel, Washington, D.C. on April 4-7, 1984, at a cost not to exceed $800.00 chargeable to and payable from Code Account 1843, Dept. of Parks and Recreation.

Which were severally read and referred the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 231 Communication from Robert J. Coll, Jr., Superintendent, Dept. of Police, requesting permission for Lt. William P. Mullen, Jr., Sgt. John F. Flannigan, Det. James Diskin and Det. Thomas McCue, to attend a "Creative Crime Scene Investigations Seminar" to be held at the Pittsburgh Marriott Inn-Greentree on March 8-9, 1984, at a cost not to exceed $560.00 chargeable to and payable from Code Account No. 1454, Educational and Travelling Expenses, Dept. of Police.

Which was read and referred to the Committee on Public Safety.

Mr. Robinson presented

No. 232 Resolution providing for the issuance of a Certificate of Appropriateness for demolition of certain property in the 21st Ward and also providing for the issuance of a Certificate of Appropriateness for exterior work to be done on certain structures in the 22nd and 21st Ward.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Robinson moved to suspend Rule 8 by providing consideration of a bill only until or after the 9th calendar day following the meeting in which the bill was introduced so it will be on the agenda this Wednesday.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Also,

No. 233 Resolution providing for an Agreement or Agreements with a consultant or consultants for auditing services in connection with the CDBGP (Third Party Contracts), at a cost not to exceed $50,000.00 chargeable to and payable from the 1983 CDBG Program, Dept. of City Planning Administrative Account (CDPA), Project No. 4-35-01-0012-83-49-83-35.

Also,

No. 234 Resolution amending Res. No. 128, eff. 3/1/79, as amended by Res. No. 870, appr. 9/28/79 entitled, "Providing for an Agreement(s) with the Perry Athletic Association and Senior Citizen Council for the renovation of the interior and exterior of the existing facility," so as to reduce the amount authorized from $100,000.00 to $99,847.84.

Also,

No. 235 Resolution amending Res. No. 1442, eff. 1/1/82 as amended by

Res. No. 1039, eff. 10/19/82 entitled, "Providing for an Agreement or Agreements with the Urban Redevelopment Authority for its assumption for the administration of programs formerly administrated by the Departments of City Development and Housing," by reducing the authorized amount from $976,152.22 to $948,141.81.

Also,

No. 236 Resolution amending Res. No. 1158, eff. 12/31/83 entitled, "Providing for an Agreement(s) with the Lawrenceville Citizens Council, Inc. located on 37th Street in Lawrenceville to provide for general rehabilitation work on the old St. Augustine's school building which would be used for various community activities," at a cost not to exceed $35,000.00.

Also,

No. 237 Resolution providing for an Agreement or Agreements with The Whale's Tale, a non-profit organization located at 5100 Centre Avenue, for the rehabilitation of a vacant building at 3501 Liberty Avenue, in Lawrenceville, to be used as an Emregency Shelter and Treatment Center for runaway, abused, and neglected youths, at a cost not to exceed $37,500.00.

Also,

No. 238 Resolution providing for an Agreement or Agreements with Vintage, Inc. of East Liberty for assistance in implementing its "Adult Day Care Program", at a cost not to exceed $20,000.00.

Also,

No. 239 Resolution amending Section 11 of Res. No. 1228, eff. Dec. 31, 1979, as previously amended by Res. Nos. 504, 635 and 1065 of 1980; and by Res. Nos. 316, 797, 1201, and 1419 of 1981; and by Res. No. 416 of 1982; and by Res. Nos. 889 and 1134 of 1983 so as to decrease line item HD-80-12 from $132,000.00 to $102,881.03 and further to increase line item CC-80-01 from $2,320,000.00 to $2,349,118.97.

Also,

No. 240 Resolution amending Section 11 of Res. No. 1420, eff. 12/31/80, as previously amended, so as to decrease line item HD-81-11 "Housing Department Administration", including Neighborhoods for Living Center $90,000.00 to $80,000.00 and to increase line item CC-81-01 "ULO" from $1,580,000.00 to $1,590,000.00.

Also,

No. 241 Resolution amending Res. No. 388, eff. 6/10/83 entitled, "Providing for an Agreement(s) with the Pittsburgh Clean Cities Committee, for the purpose of employing economically disadvantaged youths to clean up and/or landscape City neighborhoods", so as the reduce the amount authorized to actual contract expenditures, by reducing the amount authorized of $164,229.84 to actual contract expenditures of $130,095.65.

Also,

No. 242 Resolution amending Res. No. 726, eff. 7/30/81 entitled, "Providing for a Contract or Contracts for the Replacement of the 12" Main in S. 30th Street, between Josephine and Mary Streets and providing for the payment of the cost thereof", by reducing the amount authorized to actual contract expenditures, at a cost not to exceed $18,231.20.

Also,

No. 243 Resolution amending Res. No. 464, eff. 6/3/80 entitled, "Authorizing the Mayor and the Director of the Dept. of Housing to enter into an Agreement(s) in a form approved by the City Solicitor, with the Urban League of Pittsburgh, Inc., for Citywide Housing Counseling Services to the City in carrying out its CD Program so as to reduce the amount authorized to actual contract expenditures, by reducing the amount authorized of $275,000.00 to actual contract expenditures of $269,834.91.

Also,

No. 244 Resolution amending Res. No. 978, eff. 10/31/81 entitled, "Providing for a Contract(s) with women in CD for the purpose of conducting a needs assessement and analysis of housing needs of femaleheaded households" decreasing the amount provided from $4,000.00 to $2,891.44 (actual contract expenditures).

Also,

No. 245 Resolution amending Res. No. 1091, eff. 11/12/81 entitled, "Providing for an Agreement(s) with the St. Vincent DePaul Society and URA", so as to reduce the amount authorized to actual contract expenditures, by reducing the amount authorized of $10,000.00 to actual contract expenditures of $8,012.58.

Also,

No. 246 Resolution amending Res. No. 367, eff. 4/30/82, as previously amended by Res. No. 1046, eff. 10/19/82, reducing the amount authorized therein to actual contract expenditures by reducing the amount authorized of $5,000.00 to actual expenditures of $3,459.30.

Also,

No. 247 Resolution authorizing the URA of Pgh. to acquire that property in the 18th Ward of the City of Pgh. owned by James Franklin Avery, Sr. and designated as Block and Lot 4-H-30 in the Deed Registry Office of Allegheny County, under the RLRF, said property having been certified as blighted by the VPRC and the Planning Commission of the City of Pittsburgh.

Also,

No. 248 Resolution authorizing URA of Pgh. to acquire that property in the 25th Ward of the City of Pgh. owned by Marion J. Dietrich, Albert O. Dietrich and Philbert Dietrich and designated as Block and Lot 22-D-138A in the Deed Registry Office of Allegheny County, under the RLTF, said property having been certified as blighted by the VPRC and the Planning Commission of the City of Pittsburgh.

Also,

No. 249 Resolution authorizing the URA of Pgh. to acquire that property in the 25th Ward of the City of Pgh. owned by Cleo A. and Mildred Brooks and designated as Block and Lot 23-E-117 in the Deed Registry Office of Allegheny County, under the RLRF, said property having been certified as blighted by the VPRC and the Planning Commission of the City of Pittsburgh.

Also,

No. 250 . Resolution authorizing the URA of Pittsburgh to acquire and condemn all of the City's right, title and interest, if any, in and to the publicly owned properties in the 25th Ward of the City of Pgh. designated as Block and Lot 23-E-336 in the Deed Registry Office of Allegheny County, under the RLRF, said

property having been certified as blighted by the VPRC and the Planning Commission of the City of Pittsburgh.

Also,

No. 251 Resolution authorizing the URA of Pgh. to acquire that property in the 10th Ward of the City of Pgh. owned by Edna Dora Mason and Betty Rogers and designated as Block and Lot 50-H-179 in the Deed Registry Office of Allegheny County, under the NHF, said property having been certified as blighted by the VPRC and the Planning Commission of the City of Pittsburgh.

Also,

No. 252 Resolution authorizing the URA of Pgh. to acquire and condemn all of the City's rights, title and interest, if any, in and the the publicly owned properties in the 10th Ward of the City of Pgh. designated as Block and Lots: 50-H-175, 50-H-176, 50-H-177, 50-H-178, 50-H-180, 50-H-209, 50-H-210, 50-H-212 in the Deed Registry Office of Allegheny County, under the NHF, said property having been certified as blighted by the VPRC and the Planning Commission of the City of Pittsburgh.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 253 Resolution transferring the amount of $15,000.00 from Code Account No. 1480, Premium Pay, to Code Account No. 1490, Equipment; both accounts within the Department of Engineering and Construction.

Which was read and referred to the Committee on Finance.

Also,

No. 254 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for lighting installation or replacement at various park facilities, at a cost not to exceed $50,000.00 chargeable to and payable from Code Account PR 84-12, 4-10-05-1480-84, Lighting, New or Replacement Fixtures.

Also,

No. 255 Communication from Paul J. McDermott, Director, Dept. of Engineering and Construction, amending Council Bill No. 46, approved January 25, 1984, requesting permission for John Barbati and William Graham to attend the Conference for Training on the use of the Troxler 3401 Roadreader in Colubmus, Ohio, on February 28 & 29, 1984, at a cost not to exceed $555.00 payable from Code Account 1482, Misc. Services; by deleting the name William Graham and replacing with Norman Dotson; decreasing the amount to $485.00; and requesting permission for use of a City vehicle for transportation.

Also,

No. 256 Communication from Paul J. McDermott, Director, Dept. of Engineering and Construction, requesting permission for Joseph Tumas and Joseph Semieraro to attend a "Bridge Safety Inspector" Refresher Course, on February 28 - March 2, 1984 at the Holiday Inn in Sewickley, PA, meal expense will not exceed $72.00 chargeable to and payable from Code Account No. 1482, Misc Services, Dept. of Engieering and Construction, no charge for this course. Permission is also requested for use of a City vehicle for transportation.

Which were severally read and referred to the Committee on Engineering and Contruction.

Mr. Woods presented

No. 257 Resolution providing for the issuance of a warrant to Walter A. Harold, c/o John F. Becker, 1400 Lawyers Building, Pgh., PA 15219 in the amount of $2,500.00 in full settlement of a claim for personal injuries and providing for the payment thereof.

Also,

No. 258 Resolution providing for the issuance of a warrant to Marguerite Muncaster, a/k/a M.G. Peg Muncaster, c/o Stephen J. Harris, 1701 Grant Building, Pgh., PA 15219, in the amount of $27,500.00 in full settlement of a claim for personal injuries and providing for the payment thereof.

Also,

No. 259 Resolution repealing Res. No. 5 appr. Jan. 19, 1984, eff. Jan. 26, 1984, entitled "Resolution authorizing the Mayor to issue a warrant countersigned by the City Controller in favor of the Commonwealth of Pa., Dept. of Labor and Industry in an amount not to exceed $250,000.00 to return excess funds drawn for JTPA grants."

Also,

No. 260 Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of $2,310.16 of the Commonwealth of Pa., representing initial payment required for unclaimed funds for the year 1976 pursuant to the provisions of the Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74.

Also,

No. 261 Resolution transferring $7,500.00 from Code Account No. 1060, Salaries, Regular Employees, Dept. of Finance to Code Account No. 1061-1, Premium Pay, Dept. of Finance.

Also,

No. 262 Resolution authorizing the transfer of $218,786.00 from the CETA Trust Fund to the 1984 General Fund of the City of Pittsburgh for reimbursement of Indirect Costs of the Comprehensive Employment and Training Act Program, CETA, for Fiscal Year 1983.

Also,

No. 263 Resolution amending Res. No. 1185, appr. Jan. 4, 1984, eff. Dec. 31, 1983, to correct a program name, to add account numbers, and to add two program areas.

Also,

No. 264 Resolution authorizing and directing the Director of the Dept. of Parks and Recreation to change the name of Parcel #2 Ballfield, formerly known as Allegheny High, located in the North Side, to Richie McCabe Memorial Field.
—(SPONSORED BY MR. WOODS)

Also,

No. 265 Communication from the Honorable Richard S. Caliguiri, Mayor, requesting permission for Mina Gerall, Mary Failey, and Jack Wilson to attend an Energy Task Force Unit meeting in San Diego, California, March 10 through 14, 1984, at a cost not to exceed $3,500.00 payable from the Energy Task Force Trust Fund. The City will be reimbursed from the Dept. of Energy for all expenses incurred.

Also,

No. 266 Communication from Ronald C. Schmeiser, Director of Finance, Dept. of Finance, requesting permission for James W. Turner, Assistant Director-Budget and Research, and John Know, Senior Budget Analvst, to attend the Municipal Finance Officers Association Annual Conference, in San Antonio, Texas, April 14-18, 1984, at a cost not to exceed $2,900.00 chargeable to and payable from Code Account 1063, Misc. Services, Dept. of Finance.

Also,

No. 267 Communication from Ronald C. Schmeiser, Director of the Dept. of Finance, requesting permission for Linda Bakst to attend the Image-Information Technology 1984 Seminar on Tuesday, February 21, 1984, at the Greentree Marriott at a cost not to exceed $50.00 chargeable to and payable from Code Account No. 1063, Misc. Services, Dept. of Finance.

Also,

No. 268 Communication from Ronald C. Schmeiser, Director of the Dept. of Finance, submitting a report of deposits and market value of collarteral security pledged by City Depositories to secure same as of January 31, 1984.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 269 Petition from the Oakwood Civic Organization, the City of Pittsburgh, requesting a public hearing before City Council cercerning the building of a fire station on Noblestown Road, Westwood, 28th Ward, City of Pittsburgh.

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 270 Petition from the residents of Garfield, requesting a public hearing before City Council to air their concerns about the Bloomfield/Garfield Corporation being the designated agency or group in the Garfield Community to receive any funds for the betterment of their neighborhood. Also, requesting all funds and programs to be halted until this imbalance is corrected or a new agency or organization is identified to represent the entire Garfield Community.

Which was read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Woods moved to suspend Rule 8 for all Committees providing for the mailing of printed copies of all ordinances and resolutions to each member of Council at least 48 hours previous to their consideration by Council at the return of such papers from Committee.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. Woods presented

Bill No. 271

Report of the Committee on Finance for February 15, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 65

A Resolution entitled, "Resolution authorizing and directing the Administration to conduct an investigation and evaluation on the procedures used by Pittsburgh Psychological Services relative to the administering of the psychological portion of the examination for Police Officer." **(SPONSORED BY MR. GIVENS)**

Which was read.

Also,

Bill No. 137

A Resolution entitled, "Resolution transferring $10,000.00 from the Department of Parks and Recreation's Code Account 1838, Recreational Activities, Miscellaneous Services, to the Department of Parks and Recreation's Code Account Special Parks Programs Trust Fund."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 164

A Resolution entitled, "Resolution providing for the issuance of a warrant to Ronald J. Hays and Delores Hays, his wife, in care of Bryan Campbell, Esquire, 220 Grant Street, Pittsburgh, PA, 15219 in the amount of $4,000.00 in full settlement of a claim for property damages and providing for the payment thereof."

Which was read.

Also,

Bill No. 165

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Dow Jones and Company Inc., P.O. Box 4137, Church Street Station, New York, New York, 10249, in the amount of $251.02 in payment for advertising cost in The Wall Street Journal furnished for the benefit of the City in connection with the advertisement of employment opportunity with the City of Pittsburgh in the position of Investment Officer, Department of Finance; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 166

A Resolution entitled, "Resolution providing additional benefits to the former employees who are beneficiaries of the City of Pittsburgh Policemen's Relief and Pension Fund, Firemen's Relief and Pension Fund, and Municipal Pension Fund who retired prior to January 1, 1984."

Which was read.

Also,

Bill No. 167

A Resolution entitled, "Resolution providing for an Agreement or Agreements for specialized professional services in connection with conduct of negotiations and arbitration proceedings including labor relations advice, representation at negotiating meetings and economic and job evaluation advice, and related personnel matters; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 168

A Resolution entitled, "Resolution providing for the filing of a petition for the exoneration of taxes and transfer of property in accordance with the laws applicable for transfer."

Which was read.

Also,

Bill No. 169

Resolution repealing Item L of Resolution No. 964, approved October 27, 1983, for sale of a 3 story brick building at 6518-20 Frankstown Avenue (12th Ward) Block and Lot 125-E-96, to George C. and Carolyn R. Williams, for the sum of $4,600.00. Amendment is to repeal the sale and return the hand money.

Which was read.

Also,

Bill No. 170

Resolution amending Item I of Resolution No. 1062, approved December 6, 1983 for a 2-1/2 story brick house located at 7213 Monticello Street (12th Ward) designated as Block and Lot 174-F-138, sold to Firdausi Dey, for the sum of $1,500.00. Amendment is to correct the spelling of the name of a former owner from Lawrence Daniel Stoner and Margaret Stoner to read: Lawrence Danuel Stoner and Margaret Stoner.

Which was read.

Also,

Bill No. 171

A Resolution entitled, "Resolution providing for the filing of a petition or

petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended."

Which was read.

Also,

Bill No. 122

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for professional services in connection with the research, preparation, evaluation, administration, and validation of Civil Service entrance and promotional examinations; and providing for the payment of the cost not to exceed $14,000.00, payable from Code Account No. 1100, Miscellaneous Services, Department of Personnel and Civil Service."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski for Mr. Givens presented

Bill No. 272

Report of the Committee on Public Works for February 15, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 136

A Resolution entitled, "Resolution vacating Square Way from Sonny Street to Chainman Way in the 13th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Robinson presented

Bill No. 273

Report of the Committee on Planning, Housing and Development for February 15, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 91

A Resolution entitled, "Resolution amending Resolution No. 596 of 1983, entitled, 'Providing for an Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the Performance of Certain Work in connection with the 1982 - 1983 Community Block Grant Program; and providing for the payment of the cost thereof,' so as to increase the amount authorized from $1,200,000.00 to $1,325,000.00."

Which was read.

Also,

Bill No. 92

A Resolution entitled, "Resolution amending Resolution No. 328 of 1983, entitled, 'Providing for the Execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittburgh for the Performance of Certain Work in connection with the 1983 Community Development Block Grant Program, and providing for the payment of the cost thereof,' so as to increase the amount authorized from $120,000.00 to $240,000.00."

Which was read.

Also,

Bill No. 147

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of Two Million Three Hundred Thousand ($2,300,000.00) Dollars to the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 148

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to file an amendatory application for financial assistance in the cumulative amount of $2,598,400.00 with the Pennsylvania Department of Community Affairs for the Neighborhood Housing Program."

Which was read.

Also,

Bill No. 149

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to file an amendatory application for financial assistance in the cumulative amount of $500,000.00 with the Pennsylvania Department of Community Affairs for the Urban Homesteading Program."

Which was read.

Also,

Bill No. 150

A Resolution entitled, "Resolution amending Resolution No. 1121, effective December 20, 1983 by providing for the designation and implementation of a portion of certain Community

Development Block Grant Funds as the Local Matching Share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs; for the reimbursement of the Pennsylvania Department of Community Affairs for expenditures determined to be ineligible; for the adoption by the City of Land Use Control Ordinances regulating the development within the Hundred Year Flood Plain; for the amendment of the Building Code and other codes as required to provide for flood proofing of structure; and for the designation of the Commonwealth of Pennsylvania as a third-party beneficiary of the Flood Control Provisions."

Which was read.

Also,

Bill No. 151

A Resolution entitled, "Resolution providing for a First Amendatory Urban Homesteading Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of a portion of Ninth Year Home Improvement Loan Program Funds as the Local Matching Share for a grant applied for with the Pennsylvania Department of Community Affairs and for the reimbursement of the Commonwealth for any expenditures determined to be ineligible."

Which was read.

Also,

Bill No. 152

A Resolution entitled, "Resolution providing for a First Amendatory Neighborhood Housing Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of interest earned as the Local Matching Share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs and for the reimbursement of the Commonwealth for any ineligible expenditures."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Mallev	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majoritv of the votes of Council being in the affirmative, the bills passed finallv.

Mr. Grabowski presented

Bill No. 274

Report of the Committee on General Services for February 15, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 141

A Resolution entitled, "Resolution providing for the letting of a contract or contracts, or for the use of existing contracts for the furnishing and delivery of Manual Typewriters, less trade-ins, for the Department of Police, Code Account Number 1452, Equipment and Machinery; and for payment of the costs thereof."

Which was read.

Also,

Bill No. 142

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of MSA Pressure Demand Air Mask (SCBA) with composite air bottles for the Department of Fire, Code Account No. 1468, Equipment, and for the payment thereof."

Which was read.

Also,

Bill No. 143

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of 1-3/4 inch Double Jacketed Polyester Fiber rubber lined fire hose, 50 foot per section, for the Department of Fire, Code Account No. 1468, Equipment, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

Bill No. 275

Report of the Committee on Parks and Recreation for February 15, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 138

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Western Pennsylvania Conservancy for services during 1984 and providing for the payment of the cost which is not to exceed $3,500.00 chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. O'Malley presented

Bill No. 276

Report of the Committee on Public Safety for February 15, 1984 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 144

A Resolution entitled, "Resolution amending the Pittsburgh Code, Title Five, Traffic, Article III, Towing, Chapter 525, Towing Charges, Section 525.02, Schedule of Towing Fees, by changing the classification of truck, truck tractor and trailer vehicles from an alphabet prefix license letter to a numerical classification by gross weight and; by changing the fee schedule to be applied to each classification; Chapter 523, Tow Pounds, Section 523.05(b), Redemption and Charges, by changing the amount to be charged for vehicle storage to a daily rate according to the classification of the vehicle." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Grabowski:

If I might ask a question of Councilman Wagner, as I recall last Wednesday at the Committee Meeting, you questioned Superintendent Coll about these proposed increases in fees and you suggested that it might be a good idea that we evaluate actually how much it costs the City to tow a vehicle in and how many of these vehicles being towed in are residents and non-residents and possibly, based on that, revise this schedule.

Was that not your intent?

Mr. Wagner:

Yes, I did make that comment and did ask that question, but Mr. O'Malley helped clarify that in that that area of responsibility has not come under the area of Public Safety or Police in the past. Therefore, the Police Department does not have sufficient data to properly analyze it yet, plus the fact that Mr. Coll indicated at the time that they are going to try to set up some code account numbers so that in the future all costs pertaining to towing can be analyzed and we can further determine, hopefully, what it does cost and readjust the charges for towing.

In other words, it can't be done now but it may possibly be able to be done in the future.

Mr. Grabowski:

My concern is that if, in fact, we're going to revise the rates so that they reflect the actual cost involved in towing a vehicle, I don't know how long it will take, but maybe we should hold this bill.

Mr. Wagner:

Maybe Mr. O'Malley could add to it but I think Mr. Coll indicated that raising the fee to $60 would closer reflect the actual cost but may not be precisely what needs to be.

Mr. O'Malley:

If we would hold the bill, Steve, all it would do is cost the City of Pittsburgh money until we've come to that time when we determine exactly what the cost is. I think we're going to need at least six months to make that determination.

Mr. Grabowski:

Okay.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 277

Report of the Committee on Engineering and Construction for February 15, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 116

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Chester Engineers (Mr. Alfred E. Baily), P.O. Box 9356, Pittsburgh, Pennsylvania 15225, for Professional Engineering Services in connection with the design in conjunction with the repairs/replacement of the Filter Building and Operation Center Building Roofs, the repair of leaks in the filter tanks and associated work, and providing for the payment of the cost thereof."

Which was read.

Mr. Grabowski:

I would like the record to indicate that I reluctantly vote aye on Bill 116 because the work began several weeks ago before this Council in fact authorized the work to begin. I wouldn't want the contractor not to receive payment because the Director, perhaps inappropriately, gave him authorization to go ahead. But I just would like the record to indicate that.

Mr. Robinson:

I would like to echo Mr. Grabowski's concern. I think we ought to do whatever is appropriate to discourage our department heads from authorizing work in advance of the appropriate approval by Council and the Mayor. I think it does send a false signal to contractors and perhaps puts the Directors in the position of indebting the City without having the legal authority to do so. If indeed there is necessary emergency work that must be completed, I believe that there are some appropriate processes to follow and I would suggest that the City Clerk send a letter to the appropriate department heads indicating that if, in the future, they believe that work should proceed in some fashion prior to authorization from this Council and the Mayor, that they communicate in writing with our President, Mr. Stone, and certainly get his advice in Council as well as that of our City Solicitor.

Mr Wagner:

I would like to comment on Bill 116. In regard to last Wednesday's meeting, I would like my comments brought forward for the record pertaining to the discussion which we had, and furthermore, the post agenda which is scheduled for this Wednesday will pertain specifically to this topic with the appropriate department heads.

(BEGINNING - MR. WAGNER'S REMARKS ON BILL NO. 116 - WEDNESDAY, 2/15/84)

Mr. Wagner:

Discussion. Could I ask Mr. Cosentino to please come to the table?

Mr. Cosentino, we have had considerable discussion on this bill. As a matter of fact, we held it for one additional week. The reason why we held it one additional week was we were asking questions to Mr. McDermott, when in fact the work that began on this project began back prior to the creation of Engineering and Construction, when it came out of the Water Department. We then found out that actual work, or approval to do this work, was given back on November 9, 1983, and Council received the legislation to allocate $47,000.00 to pay for the work, and my number one question is, why are we receiving this legislation now, and why did it not come back in November?

Director Cosentino:

Well, first of all, it was my understanding that the resolution being processed prior to that November 9 date, apparently there was a lack of communication between two of my personnel that caused that to occur. I was under the impression that that was being done.

Mr. Wagner:

Well, in your letter, which I have here, that was sent to Chester Engineers, it does not indicate that.

Director Cosentino:

Well, we don't necessarily indicate in the letter if it is being done. We don't generally tell the Consultant that that is being done. I think we did indicate in the letter that the contract was — before the contract was executed that no invoices were to be submitted to the City.

Mr. Wagner:

Well, is this common procedure?

Director Cosentino:

No, it is not common; it is an exception to the rule. We simply don't carry out an operation that way.

Mr. Wagner:

Well, I'm having a problem with this legislation because I am finding out that this is occurring more than it should, and especially in the committee that I have, Engineering and Construction, and there is no need for this to occur.

Council should approve any and every piece of legislation prior to the contractor being notified that they should begin work on a project.

Director Cosentino:

I agree.

Mr. Wagner:

There are other problems with this legislation in that we are asking a consulting company to go out and evaluate whether or not we need a new roof on a building, whether or not we need some filter work done at that location. The problem is that we have the expertise within the City to go out and take a look at roofs and determine what work needs to be done. So, therefore, I think that part of this legislation and part of the cost, $47,000.00, is not necessary. However, the problem exists today in that I suspect a good portion of this has been completed. Is that correct?

Director Cosentino:

Some of the work has been completed, yes.

Mr. Wagner:

How about the work pertaining to the roof?

Director Cosentino:

I believe that has been done.

Mr. Wagner:

So, in other words, if Council does not approve this, then we have Chester Engineers out there not receiving their dollars.

Director Cosentino:

That is correct.

Mr. Wagner:

We are going to have a post agenda in the near future pertaining to this, and I am going to vote in favor of this, but I would like you to know, and other Department Heads, that I will not vote in favor of any legislation in the future that is not first approved by Council.

Director Cosentino:

I understand. I agree with you.

(END - MR. WAGNER'S REMARKS ON BILL NO. 116 - WEDNESDAY, 2/15/84)

Mr. Woods:

On Bill 116, we've talked about this for a number of weeks and this isn't the first bill that came up like this and I believe there are going to be a few more. They are reorganizing the Department of Engineering and Construction and there is a post agenda scheduled for this Wednesday with the particular Directors involved. Hopefully, we can get this straightened out and let

them know how many other bills are coming up just like this one.

The Chair:

I echo the remarks of Mr. Grabowski and Mr. Robinson. If you will recall, a few years back I was taken to task because allegedly I was riding a Director. It turned out that that particular Director exceeded his authority by $800,000.00. I have yet to see anyone come up and say a few years back, "Mr. Stone, you were right", but I would like it clearly understood that I, as one Councilman, am not going to pay any bill that somebody authorizes to go out on their own. Nobody has the authority to indebt the City of Pittsburgh other than in a proper way; anyone who does, does so at their own risk.

Also,

Bill No. 154

A Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for the rehabilitation of Armstrong Playground; and providing for the payment of the cost thereof." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 155

A Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for the rehabilitation of various Housing Authority Playgrounds including Glen Hazel and Bedford Housing sites; and providing for the payment of the cost thereof." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 157

A Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for the rehabilitation of various Department of Parks and Recreation turfed areas including ballfields; and providing for the payment of the cost thereof." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 161

A Resolution entitled, "Resolution providing for the taking of property in the 5th Ward of the City of Pittsburgh, owned by POA Company, a Pennsylvania general partnership and Foster and Kleiser, Corp. for the reconstruction of the Bloomfield Bridge and approaches and authorizing payment of just compensation and necessary and incidental acquisition and relocation costs related thereto."

Which was read.

Also,

Bill No. 162

A Resolution entitled, "Resolution amending Resolution No. 1125 of 1983 for the taking of property in the 5th, 6th, and 7th Wards of the City of Pittburgh, owned by POA Company, a Pennsylvania general partnership and Foster and Kleiser, Corp. for the reconstruction of the Bloomfield Bridge and approaches and authorizing payment of just compensation and incidental acquisition and relocation costs related thereto."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Robinson:

Mr. President and members of Council, I would like to make a few brief comments on the letter forwarded to City Council by City of Pittsburgh Controller, Tom Flaherty, relative to our bond counsel, the law firm of Baskin and Sears serving as an agent of South Africa.

In 1982 and 1983, this Council supported resolutions that I sponsored which requested the President of the United States and the Secretary of State to rescind authorization to the Republic of South Africa to establish "Honorary Consulates" in various American cities including Pittsburgh.

Also, upon my initiative, this Council approved legislation to restrict the investment of City of Pittsburgh Pension Funds in business activities in the Republic of South Africa. I would like to refresh Council's memory on this point; the resolution was 1167 of 1982, Pension Reform Press Agreement. There were two agreements and Council was gracious enough to include a Section D in both agreements which reads as follows: Investments shall not be initiated or concluded with corporated entities, public or private, which are owned, managed, or otherwise under the jurisdiction of the Republic of South Africa.

I believe the spirit of our actions was to indicate a desire not to be directly or indirectly involved with governments or activities supportive of undemocratic principles and practices such as apartheid.

At this time, I believe it would be appropriate to create a Task Force on City Investments to examine our investment policies and business practices to insure their compatibility with the principle of equal opportunity and other precepts of democracy.

The Office of the Mayor, City Council, and the Office of the Controller should be involved.

I would suggest that they pattern their efforts after those recently initiated by the state of Connecticut.

For more specific information on the resolutions passed by Council, I request members of Council to refer to the Municipal Records of Monday, March 8, 1982, Monday, March 29, 1982, and Monday, June 13, 1983.

Thank you.

Mr. Woods:

First of all, I'd like to ask Mr. Robinson, are you asking for that task force to be formed now or are you suggesting we look into it?

Secondly, I don't know what happened in the state of Connecticut so if you could enlighten us there —

Mr. Robinson:

Okay. On the first point that you raised, I think that the Task Force should be created immediately. About a year ago, I raised this issue when Resolution 1167 was being considered by this Council. I raised that issue with our Finance Director, Mr. Schmeiser, and also suggested to our President, Mr. DePasquale, Council's President, that such a task force would be in the best interest of the City. I still believe that it would be.

As far as the issue of what happened in the state of Connecticut, the Treasurer of the State of Connecticut, two or three years ago, was appointed by the Governor to head up a task force on investments, investments of monies of the state of Connecticut. Out of the efforts of that task force came an 80 page document which established guidelines for the investment of monies of the state of Connecticut. One of the specific things that the document spoke to was the issue of investing monies in countries such as South Africa, more specifically, countries which practice undemocratic prinicples such as apartheid.

I think that document is landmarked and set to precedent. It was a very well thought out document and I think done with the utmost responsibility on the part of public officials and I think it might provide us with some sort of guide.

I have, on previous occasions, suggested to Mr. Schmeiser that he might want to look at that document to see if there was any way that we might incorporate some of its ideas. I think the question of investments in South Africa only speaks to one aspect of the study in Connecticut. They were looking at the total investment practices of the state and wanted to make sure that they were investing their money consistent with what the state principles and laws were but also recognizing that this issue of investing money in foreign countries often times can become very difficult. You need a responsible policy, one that is responsible to good money management but also one that is consistent with your concerns about democratic government and democracy throughout the world.

Mr. Woods:

I have no problems with the committee or a task force, but I do have problems including the Mayor's Office and the Controller's Office. Every time we form a committee in this Council we're involving other parts of our government. If we want to make a committee, I think it should be done right here in Council and I'm sure we can get all the information that we need and we have the expertise right here. That's the way I'd go with the committee. If this Council does it and we look into it ourselves, we don't need all the outside help. That's my opinion.

Mr. Robinson:

Let me just respond to that very quickly if I might, Mr. President. My interest in the Controller and the Mayor is because of their sworn obligations in the area of this City's fiscal responsibilities. The Controller does have some responsibility relative to our

pension fund, as does the President of our Council. The Mayor of our City, of course, is charged with the awesome responsibility of preparing a budget every year and indeed selecting those professionals such as bond counsel to help us make decisions about how we should invest our money.

I simply thought it would be appropriate to involve Council, the Mayor and the Controller in an overall evaluation. I do agree with you that Council certainly has the capability of doing our part and I think if the President of Council saw fit to appoint yourself as Finance Chairman and others to a committee, that certainly you could do a good job and certainly I think this Council could set an example, perhaps, for the Controller's Office and the Mayor's Office in terms of what we think ought to be done in the area of investing this City's monies.

The Chair:

Let me just make a remark here so it's restricted in the sense of which I am making it.

I stand before you not condoning the matter that exists in the Republic of South Africa but, nevertheless, I think a comment in that report needs corrected, at least in proper frame. It's not my intent nor my desire to defend the firm of Baskin and Sears. Obviously, they're more capable financially, in size and ability, than I. But, nevertheless, I would be remiss as a lawyer who would not point out the fact that everyone is entitled to representation, our friends as well as our foe, and obviously, when you're representing someone, you do not, you do not, and I emphasize that, subscribe to everything that they subscribe to.

In light of that, I'm reminded a few years back that there were some people of not the best standards in our community, no one wanted to defend; the Bar Association and the courts felt bound that they in this country, in the democratic society, ought to be represented. I'm likewise reminded by the fact that the American Civil Liberties Union is one of their recent clients as representing a Ku Klux Klanner, which obviously seems to be the total extreme of what is ordinarily their representation.

In that light, let it be known that representation does not determine what the individual does.

I'd like one more comment and I'd like to be on the record with this one as well. I would suggest, since he is here, the Controller — I, for one, have always been disturbed — I'm not saying this now that you are the Controller, Tom, so we understand it — I cannot possibly conceive how, as Mr. Woods has seemed to have indicated, where we have three parts of government participating in something on a daily effort and then who is going to audit, after that, who is going to control. One of the things that I think is always something that sort of caused me to think, if the Controller is involved, and let's take the pension fund for a moment, if the Controller is involved and the President of Council is involved and someone from the Administration is involved, after that, since the Controller is with us, who does the controlling? Who does the auditing? I don't know how that came to pass but it always has been my understanding that a trustee in an organization or an auditor or a controller should not be involved in the daily function other than they oversee what everybody else does. There ought to be some look into that, I think, and again, let me just respectfully say that it does not include the personality rather than the position. If we had some other

source that checks us after, I wonder, but we don't.

Mr. Woods:

Mr. President, again I'd like to say that I have no problem with the task force or a committee as long as it just included City Council members and we went ahead and really looked into this thing.

I don't think we should keep throwing the name of Baskin and Sears around for whatever work they do for South Africa because, and it might be a little silly, everybody in this room and probably everybody in the Unites States is just as bad because we all buy diamonds and most of the diamonds are mined in South Africa.

The Chair:

I can't afford to buy them.

Mr. Woods:

I mean it's a big thing and I agree with Mr. Robinson. Perhaps we should look into this but I believe we should look into it as a Council.

The Chair:

On another subject, if I may. At the expense of being redundant, let me repeat because I shall always repeat this matter. Mr. Wagner has brought up the matter of the LRT System and I would be remiss if I didn't take this opportunity to mention that had we been riding Skybus we could have been in it now for three years at $80 million. We are now in an abortive system called LRT, Light Rail Transit, and we're not in it yet; we've got another two years to go and we are already over $500 million. That's $430 million we could have used somewhere else. When anyone tells you we made a mistake on Skybus, ask that individual to look in the mirror and see who made the mistake.

It should not come to pass that we forget that $430 million could have gone a long way. One of the most expensive bridges in the City of Pittsburgh was the Liberty Bridge rehabilitation job and it cost us $35 million. Multiply that through and we could have done a lot of bridges and a lot of roads in this community if, in my opinion, we had not wasted it on something less than what we could have had originally and that was Skybus.

Mr. Woods moved to excuse Mr. Givens and Michelle Madoff for absence from the meeting.

Mrs. Masloff seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Woods**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, February 27, 1984 No. 9

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, February 27, 1984

PRESENT:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

ABSENT:

Mr. Givens

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

It's my understanding we have some resolutions we'd like to present first.

Michelle Madoff:

I wonder whether Mr. Coon and Mr. Leroy Pfoertner would please come forward. That is Mr. Kerry Coon, son of Sheriff Eugene Coon. Is the Sheriff here with us today? I believe I saw him come in. I wonder if he would also come up and join us. I think the apple doesn't fall far from the tree.

I've been out having some work done on my jaw and I couldn't speak for a while which I knew would make my colleagues a little unhappy but I'm managing so I'll try to do sufficiently well to address the issues.

Michelle Madoff presents

Bill No. 308 WHEREAS, on February 20, 1984, Mr. Kerry Coon and Mr. Leroy Pfoertner came to the assistance of a mugging victim. Both gentlemen chased the perpetrator of the crime, on foot and by vehicle, and apprehended the mugger, holding him until police officers could arrive on the scene; and

WHEREAS, both Mr. Coon and Mr. Pfoertner exhibited great bravery in becoming involved, coming to the victim's aid, and apprehending the mugger.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of the Council of the City of Pittsburgh hereby recognizes and commends Mr. Kerry Coon and Mr. Leroy Pfoertner for displaying dedication to the high social and moral standards that we all want in the City of Pittsburgh and for being outstanding examples of what citizen involvement can do to curb crime.

BE IT FURTHER RESOLVED, that the Mayor and the Council of the City of Pittsburgh wishes to thank Mr. Kerry Coon and Mr. Leroy Pfoertner for their willingness to become involved and making Pittsburgh a safer place to live.

Michelle Madoff moved to adopt the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

Michelle Madoff:

You know, in these days where people are just so intimidated, so afraid to get involved, I think we have to look to our youth who are setting examples for many of us. I have known, I can't say young Mr. Coon because I knew him when he was this big, when I started out in the political arena, and I'm very, very proud. I know your family; I know they're proud of you. I want to shake your hand.

I thought they'd give us all the gory details but they don't want to.

May I present you with these awards and I hope that you will set an example to all your friends. Perhaps they can find out what's going on in some other parts of the City and help us there too.

Thanks again.

We have another award today. As you know, our office has an Award of the Month for outstanding women in the community. Some of the women that we've honored have really been well-known in the community, both in the media and in their own communities.

Today we honor a very special lady. She once kept me captive. She didn't even need the Sheriff's people that day. I remember running for office in 1973 and we were on the stage and she said, "They barred the doorway and said no one can leave until we get answers to the questions." I wonder if Aggie Brose would please come forward. Now we're going to hold her captive. Aggie, I'm really proud.

Michelle Madoff presents

Bill No. 309 WHEREAS, the role of women needs to be expanded in society; and

WHEREAS, the accomplishments and achievements, both professionally and personally, of women in society have been largely underrated; and

WHEREAS, Mrs. Agnes Brose, wife of Thomas Brose and mother of three children, has worked tirelessly to improve the quality of life in the Bloomfield and Garfield area as an original incorporator of the Bloomfield-Garfield Corporation, served with distinction for two years as that organization's president, and continues as a current member of its board of directors; and

WHEREAS, Mrs. Brose has carried that commitment further in her work as president of the Save Our Neighborhoods Action Coalition (SNAC) and as an activist dedicated to protecting the

rights of workers and the unemployed; and

WHEREAS, Mrs. Brose has exhibited her commitment to her Church and its school system with her active participation in the affairs of St. Lawrence O'Toole parish and as an alternate member of the Lawrenceville Area Catholic Merged Schools Board; and

WHEREAS, Mrs. Brose encouraged active voter registration and participation as a Democratic Party committeewoman in the 10th Ward for six years.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and Members of Council of the City of Pittsburgh recognize Mrs. Agnes Brose as "Woman of the Month" because of her dedicated service which has enriched the quality of life throughout the City of Pittsburgh.

Michelle Madoff moved to adopt the resolution.

Mr. Woods seconded the motion.

Which motion prevailed.

Mrs. Brose:

It wouldn't be fair if I didn't say something because today this is not my awar[illegible] but it's the network of people that I work with. It's my family, Junie here, President of Bloomfield-Garfield, Marie Burns, Vic-President, Sam Papp of SNAC, Larry Turner, our Treasurer of SNAC, and it's a reward to me to be part of all these organizations through the years. It's fulfilled my life; it's made me very proud to get up and work and fight for what I believe in. None of this could have happened if it had not been for you people. I'm very proud of you. You're people like me. I hear your remarks whether your think so or not. I hear Sophie saying, "Aggie, I couldn't come to your meeting; my grandson had a tumor in his ear." I respect Sophie because she's good family. I hear Ben Woods saying, "I stayed for your public hearing but I'm really mad, Aggie, because I missed seeing my daughter going to the prom." Jimmy O'Malley says, "Do you want to go to lunch with me; I'm taking my baby daughter." Bill Robinson, he fought, and I support him 100 percent because the kids are going into the arena and being used. You're good. Bob Stone, all of you. I know you all and you've supported us. We could not have achieved what we have achieved. We've confronted you terribly at times. We've challenged you and held you accountable but you are friends and you've made us successful. We are building our neighborhood. I've worked with every Director in this City and I'm glad to know you all; you've helped us. The Mayor has helped us, the people that left Council like Tommy Flaherty, Billy Coyne, they're still with us; they have moved on to SNAC with us.

All we're about, and the bottom line is, our families. The family is very, very important and I know it's important to you. We're now at Bloomfield-Garfield; you'll be seeing us next week. We're on the threshhold of another toll. I'm nothing but a toll. I'm a very supportive person to help anybody who wants to help themselves. I won't do it for you but I'll sure take time to do it with you. And you do the same thing for me. When I help you, you help me to have a better neighborhood to live in. I am a very proud person. I'm very proud for all the people I've worked with over the years and I'm proud of our Council and our Directors and the Mayor and I'm a very happy person and next week I'll be down and we'll be fighting another issue for our real estate. But it's a toll; it's

another toll to help us raise our families with pride and dignity. It's the same thing with SNAC. You can't have much dignity if you don't have a job. I know I'm the type of person that if you get to know me you might like me. There's a lot of people who might not like me but I do see today that you respect not me, but you respect what I stand for and that's family, and that's Council and SNAC and Bloomfield-Garfield, apple pie and motherhood and family.

Thank you very much.

Mr. Woods presents

Bill No. 310 WHEREAS, Bobbie Rickard and Joanne Pefferman have been active for many years in the Brighton Heights community of the 27th Ward as members of the Brighton Heights Citizens Federations; and

WHEREAS, Bobbie and Joanne presently handle the distribution of federally provided cheese and butter for the elderly, unemployed, and needy in the 27th Ward; and

WHEREAS, Bobbie and Joanne have been instrumental in developing the social well being of the Birghton Heights residents through their vigorous participation in various community events, including the annual Brighton Heights Citizens Federation Community Fair; and

WHEREAS, their sensitivity to the needs of the people and the betterment of the quality of life has enhanced the social and moral standards of the Brighton Heights community.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City Council hereby recognize and commend Bobbie Rickard and Joanne Pefferman for their dedication, devotion, and service to the residents of Brighton Heights, and extend sincere gratitude to them for enhancing and perpetuating community pride in our City.

Mr. Woods moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Grabowski for Mr. Givens presented

No. 280 Resolution amending Res. No. 1210, appr. Dec. 27, 1983, eff. Jan. 1, 1984, entitled "Adopting the 1984 Capital Budget and the 1984 Community Development Block Grant Program; and approving the 1984 through 1989 Capital Improvement Program," by increasing a line item, and adjusting the summary totals.

Which was read and referred to the Committee on Finance.

Mr. Grabowski moved to suspend Rule 8 by providing consideration of a bill only until or after the 9th calendar day following the meeting in which the bill was introduced so it will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also,

No. 281 Resolution providing for a Contract or Contracts, or use of existing Contracts, for furnishing, installing, removing and relocating certain electrical equipment necessary for Street Lighting in the City of Pittsburgh, at a cost not to exceed $380,000.00 chargeable to and payable

from Code Account PW-84-22, 4-01-10-0005-84, Lighting Throughout the City of Pittsburgh.

Also,

No. 282 Resolution providing for a Contract or Contracts, or the use of existing Contracts for furnishing and/or installing poles, foundations, street lights, conduit wires, etc., at various locations throughout the City of Pittsburgh, at a cost not to exceed $770,000.00 chargeable to and payable from Code Account PW 84-47, 4-01-01-0126-84, Street Lighting for LRT Project. (LRT - Light Rail Transit)

Which were read and referred to the Committee on Public Works.

Mr. Grabowski moved to suspend Rule 8 by providing consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so they will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 283 Resolution providing for a Contract or Contracts, or use of existing Contracts for the rental and repair of equipment in connection with the City of Pittsburgh's Capital Construction Division, at a cost not to exceed $60,000.00 chargeable to and payable from Code Account PW 84-44, 4-01-35-0001-84, Capital Construction Division.

Also,

No. 284 Resolution providing for a Contract or Contracts, or use of existing Contracts, for concrete repairs to City Steps and Walls, various locations, at a cost not to exceed $80,000.00 chargeable to and payable from Code Account PW 84-44, 4-01-35-0001-84, Construction Division.

Also,

No. 285 Resolution providing for a Contract or Contracts or the utilization of existing Contracts for construction of catch basins at various locations in the City of Pittsburgh, at a cost not to exceed $275,000.00 chargeable to and payable from PW 84-37, 4-01-25-0970-84, Catch Basins.

Also,

No. 286 Resolution providing for a Contract or Contracts, or to use existing Contracts for the replacement of concrete slab at various locations within the City of Pittsburgh, at a cost not to exceed $550,000.00 chargeable to and payable from Code Account PW 84-02, 4-01-01-0010-84, Concrete Street - Slab Replacement Program.

Also,

No. 287 Resolution providing for an Agreement or Agreements with Vincent H. Ellsworth, a Technical Services Consultant, for Engineering Services in connection with an Electrical Services Contract, at a cost not to exceed $7,000.00 chargeable to and payable from PW 84-21, 4-01-10-0002-84, Miscellaneous Electrical Services.

Also,

No. 288 Resolution vacating Congress Street from Fifth Avenue to its northwesterly terminus (170'±) in the 3rd of the City of Pittsburgh, excepting and reserving easements for the existing water and sewer lines. The petitioners have requested this vacation for

additional parking.

Which were severally read and referred to the Committee on Public Works.

Michelle Madoff presented

No. 289 Communication from Daryl H. Smith, Director, Dept. of Water, requesting authorization for Raymond Wisloski, Daniel McKaveney, Anthony Cortese, James Kelly, Joseph Russini, Ronald Florian, John Stahoviak and Edward Walters to attend an American Water Works Seminar dealing with Safety, held in Monroeville, PA on March 6, 1984, at a cost not to exceed $150.00 payable from Code Account 1701, Misc. Services. Use of a City vehicle is requested.

Which was read and referred to the Committee on Water.

Mr. Robinson presented

No. 290 An Ordinance amending Chapter 959, "C5" Golden Traingle Districts of the Pittsburgh Code, Title Nine, Zoning, by Revising the Text: 1) concerning the regulation of structure height in the Monongahela River Side (First Side) area of "C5-C" District; 2) by providing for certain reduction of the normal required amount of urban open space on limited sized lots in the "C5-C" District; and 3) by providing limited extensions or additions to existing structures in the "C5" District on limited sized lots with certain reduction of the normal required amount of Urban Open Space.

Also,

No. 291 Communication from Robert H. Lurcott, Director, Dept. of City Planning, requesting authorization for Darrell Packer, Fred Swiss, and Ed Wells to travel to PennDOT in Harrisburg on Monday, February 27, 1984. The purpose of this trip is to meet with Don Wilbur, head of the Photogrammetry and Surveys Division of the Bureau of Design, PennDOT, or his assistant, Mr. Al Burilo, to receive technical assistance in interpreting proposals to do aerial photography and mapping of the City of Pittsburgh.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 292 Resolution providing for the issuance of the following warrants: Lebies Plumbing Co., Inc. in the amount of $650.00, being in addition to the original contract price $40,550.00 on Controller's Contract Nos. 26261 & 26261F, and Thomas Didiano Construction Inc., in the amount of $17,099.00, being in addition to original contract price $522,461.75 on Controller's Contract No. 26162F, in payment for Extra Work furnished for the benefit of the City in connection with the construction of No. 42 Fire Station, Chestnut Street, payable from Code Account LB 76-01, 4-25-01-1945-76, No. 42 Fire Station, Chestnut Street.

Also,

No. 293 Resolution providing for the issuance of a warrant in favor of Gulli Contracting Company in the amount of $2,265.00 in payment Extra Work, being in addition to the original contract price of $24,510.00 on Controller's Contract No. 26479, furnished for the benefit of the City in connection with the Renovation Work at Mellon Park Service Building, payable from Code Account PR 84-11, 4-10-15-0002-84, Major Repairs and Emergencies.

Which were read and referred to the Committee on Finance.

Also,

No. 294 Resolution providing for a Contract or Contracts or the use of existing Contracts, for repairs at various park facilities, at a cost not to exceed $25,000.00 chargeable to and payable from Code Account PR 84-11, 4-10-15-0002-84, Major Repairs and Emergencies, Dept. of Engineering and Construction.

Also,

No. 295 Resolution amending Res. No. 117, appr. Feb. 21, 1983, eff. March 2, 1983, entitled, "Providing for a Contract or Contracts for Wall Reconstruction on Angle Street from Advent Street to Corfu Street, including necessary work on private property and other work incidental thereto; and providing for the payment of the cost thereof," by increasing the project allocation from 180,000.00 to $185,000.00.

Also,

No. 296 Resolution further amending Res. No. 279, appr. March 19, 1981, eff. March 26, 1981, as amended by Res. No. 388, appr. April 22, 1981, eff. May 1, 1981, entitled, "Providing for a Contract or Contracts for the Reconstruction of Streets, Lighting & Waterlines in various areas of Pittsburgh's North Side UDAG Program," by reducing the total project allocation from $710,000.00 to $706,288.50 chargeable to and payable from Code Account North Side UDAG Program (4-15-03-1810-79-181-79-15).

Also,

No. 297 Resolution further amending Res. No. 474, appr. June 21, 1976, eff. July 2, 1976, as amended by Res. No. 1045, appr. Dec. 31, 1976, as amended by Res. No. 1148, appr. Nov. 25, 1977, as amended by Res. No. 748, appr. Aug. 6, 1980, as amended by Res. No. 1361, appr. Dec. 23, 1980, as amended by Res. No. 507, appr. May 18, 1981, as amended by Res. No. 5, appr. Jan. 21, 1982, as amended by Res. No. 621, appr. June 14, 1982, entitled, "Authorizing the Urban Redevelopment Authority of Pittsburgh to act as the agent of the City of Pgh. in matter of property acquisition and relocation required for street rights-of-way which are federally assisted," by increasing the authorized amount from 4,100,000.00 to $5,600,000.00.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Woods presented

No. 298 Resolution authorizing the Mayor to issue and the City Controller to countersign a duplicate warrant to Gary A. Lipner in the amount of $831.57, Warrant No. P001286, to replace the warrant which was lost, stolen or inadvertently distroved.

Also,

No. 299 Resolution providing for an Agreement or Agreements with an Educational Institution or Institutions in connection with participating in a work-study program to help students integrate their educational program with work experience, and also providing clerical assistance to this department, at a cost not to exceed $1,110.00 chargeable to and payable from Code Account No. 1100, Misc. Services, Dept. of Personnel and Civil Service Commission.

Also,

No. 300 An Ordinance amending the Pittsburgh Code, Title Two, "Fiscal", Article VII, "Business Related Taxes", Chapter 255, "Realty Transfer Tax", Section 255.01, Subsection (f) and also amending Title Two, Article VII, Chapter 256, "Home Rule Realty Transfer Tax", Section 256.01, Subsection (f) by changing the manner of determining the value of an interest in real property which is the subject of a gift or of any other transfer without consideration.

Also,

No. 301 Communication from John Gabriel, Director, Commission on Human Relations, requesting authorization for Constance E. Wellons and himself to attend the EEOC-FEP Agency Annual Conference in Phoenix, Arizona, March 19-23, 1984, at a cost not to exceed $2,300.00 payable from the EEOC Trust Fund.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 302 Petition from the residents of the City of Pittsburgh, requesting a public hearing regarding the use of City tax dollars being used to pay for professional services, legal services, vendors, or any business where it has been determined that such party benefits from financial dealings with the Government of South Africa or its representatives. Also, to enact legislation prohibiting public dollars from being expended or paid to any business or corporation that benefits from a financial relationship to the Government of South Africa.

Which was read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 303

Report of the Committee on Finance for February 22, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 183

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of PB&S Chemical Company, Section 970, Louisville, Kentucky 40289, in the amount of $5,664.75 in payment for Purchase of Liquid Chlorine furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 197

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Tedesco Landscaping Contracting Corporation in the amount of $16,370.00 in payment for construction work at South Side Riverfront Park, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 198

A Resolution entitled, "Resolution

providing for the issuance of a warrant in favor of Eastley, Inc. in the amount of Eighteen Thousand Nine Hundred Ninety Six Dollars and Seventeen Cents ($18,996.17) in payment for services provided in connection with the installation of a new heating system at the 4th Division of Public Works; and providing for the payment thereof."

Which was read.

Also,

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Bill No. 204

A Resolution entitled, "Resolution amending Resolution No. 9, approved January 26, 1984, effective January 31, 1984, entitled, 'Providing for the issuance of warrants to Paul Braunstein and Jane E. Braunstein, his wife, in the amount of $5,654.13; Charles P. Ahnell, Jr., and Elizabeth W. Ahnell, his wife, in the amount of $10,565.80; James B. Cole and Shirley R. Cole, his wife, in the amount of $3,045.00; Anna Marie Fox Donahoe, in the amount of $776.73; Jane W. Finley, in the amount of $2,741.40; William D. Hibbert, a/k/a Bill Hibbert and Shirley Hibbert, in the amount of $799.57; Louis Marhoefer, in the amount of $6,282.36; Paul Murata, in the amount of $2,855.62; Snyder Brothers Moving, Inc., d/b/a George Transportation Company, in the amount of $5,000.00; Augustus B. Wadsworth and Grace Wadsworth, his wife, in the amount of $2,078.89; Westinghouse Electric Co., in the amount of $159.91; James E. M. White, in the amount of $3,445.78; Theda Finkel, in the amount of $989.95; Florence Williams and Lawrence Williams, her husband, in the amount of $8,711.55; Mellon Bank, N.A. Executor of the estate of Eileen H. McLaughlin in the amount of $407.40; Frances Young, in the amount of $1,484.92 in full settlement of claims for property damages, and providing for the payment thereof', by changing the names of various counsel listed in Section 1."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 205

A Resolution entitled, "Resolution providing for the issuance of a warrant to Ralph Ziviello and Bernadine Ziviello, husband and wife, c/o Michael R. Kelly, Damian and Amato, 502 Frick Building, Pittsburgh, PA 15219, in full settlement of a claim for a falldown accident on or near Broadway at Cost Street and providing for the payment thereof."

Which was read.

Also,

Bill No. 206

A Resolution entitled, "Resolution providing for the issuance of a warrant to Rose Voegler, c/o John T. Bender, Esquire, 1817 Frick Building, Pittsburgh, PA 15219, in the amount of $4,130.10 in full settlement of a claim for a falldown accident on City property and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 207

A Resolution entitled, "Resolution transferring One Hundred and Fifty Thousand Dollars ($150,000.00) from Code Account 49, Reserve Fund - Sewage Service Changes, A.C.S.A. Department of Finance, to the FICA Refund Trust Fund (FICARTF), and authorizing the reimbursement to Code Account 49, Reserve Fund - Sewage Service Charges, A.C.S.A., Department of Finance, of such transfer upon receipt of sufficient funds for such a reimbursement."

Which was read.

Mr. Robinson moved to recommit Bill No. 207.

Michelle Madoff seconded the motion.

Which motion prevailed.

Also,

Bill No. 208

A Resolution entitled, "Resolution authorizing the establishment of a Trust Fund to be entitled FICA Refund Trust Fund (FICARTF), authorizing the Mayor and the Director of Finance to enter into an Agreement or Agreements with CTA, INC., for services related to the recovery of FICA Tax Reimbursements to the City and its employees for tax

payments for benefits paid to employees for sick leave, such contract not to exceed One Hundred and Fifty Thousand Dollars ($150,000.00), chargeable to and payable from the FICA Refund Trust Fund (FICARTF) further authorizing the deposit of such FICA Tax Refunds into the FICA Refund Trust Fund (FICARTF), and further authorizing the disbursement of such refunds net of direct recovery cost and expenses, to the City and its employees for such tax refunds."

Which was read.

Mr. Robinson:

Mr. President and members of Council, on Council Bills 207 and 208, last Wednesday I asked Mr. Schillo, our Treasurer, for some information regarding the principles and the two companies to perform the work. The material that I received this afternoon right before Council session does not answer those questions and I would recommend to Council that this bill be sent back to Committee until such time that Mr. Schmeiser and Mr. Schillo can prepare that information for us.

Michelle Madoff seconded the motion.

Which motion prevailed.

Michelle Madoff:

Discussion. I'd like to ask a question. Who were the principles?

Mr. Robinson:

The information that I have that was sent to me by Mr. Schmeiser, for CTA Incorporated, Janis Kincaid, Principle Contact, John Torquato, Sales Representative; for SRI, Incorporated, William Johnson, 70 percent owner, 30 percent employee. That's the only information I have relative to the principles.

Michelle Madoff:

I want to ask Mike a question about — It's not going to be very long. —

The Chair:

We're moving to commit.

Michelle Madoff:

I know but this is in relation to not having to do it again when it comes back again.

Mike, I have a letter on my desk that was returned to you and you sent to Council saying that you've requested all the principles. You then informed this Council that starting with a certain date you notified all the Department Heads and you would be listing all the principles as they give them to you.

My question is, are they giving them to you?

Mr. Perry:

Some are and some aren't.

Michelle Madoff:

May I recommend then that when you don't get it, so that you don't have it on your back, and we say why didn't you put it in, you just immediately return it because there's enough time then before it comes to Council. I can't accept this bill without the principles.

Thank you.

Also,

Bill No. 209

A Resolution entitled, "Resolution

authorizing the Mayor and the Director of Finance, on behalf of the City of Pittsburgh, County of Allegheny and School District of Pittsburgh to transfer its rights, title and interest, if any, for certain Three Taxing Bodies' property in the 23rd Ward of the City of Pittsburgh to the Pennsylvania Department of Transportation. Deed to be in Quit Claim form for a total consideration of $8,300.00 as indicated."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Robinson presented

Bill No. 304

Report of the Committee on Planning, Housing and Development for February 22, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 188

A Resolution entitled, "Resolution providing for an Agreement or Agreements with consultant(s) to perform an aerial photographic survey for use in updating base maps of the City of Pittsburgh Department of City Planning and providing for the payment of the cost thereof."

Which was read.

Michelle Madoff:

On Bill 188, in the five and a half years that I've been here, it seems to me that we have spent a great deal of money on aerial photography. Could someone explain why we're doing it again, what it's for?

The Chair:

It's an update, Michelle.

Michelle Madoff:

I know but it's $105,000.00 update. I'll get a friend to go up in a plane; we'll get Adam Lynch from the news media and we'll take a couple of shots.

The Chair:

We went into that last Wednesday; I had some questions on that matter. I thought it was done by this aerial crew. It was explained to us that it was essential for the City to be upgraded early, views of the whole City, and it's my understanding that it ties in to the census tracks, etc. It seemed in order as of Wednesday.

Michelle Madoff:

My question is, then, was it a competitive bid? Are there other people to do it? Is there only one company? Is it fixed by price-fixing? It seems outrageous to me. I would question that number too, had I been here.

The Chair:

It prompted me to ask some questions and I was satisfied as of Wednesday.

Michelle Madoff:

Do you think the price is right?

The Chair:

Does anyone have any additional information on it?

Mr. Robinson:

I can't answer the question of whether it's competitively bid. It's my understanding that this particular company is the only one that can do this work and they have been working for us. But I have no information as to whether it was competitively bid. I would assume that it was not. It's a consultant contract and was not competitively bid.

Michelle Madoff:

Mr. Robinson, have we ever looked into how much money has been spent in the last five years on aerial photography? I have a feeling that we've done this before. My memory is pretty good.

Mr. Robinson:

It's my understanding, as Mr. Stone has said, that the aerial photography work that is required to be done by the City has to be done on a continual basis. We have done this before but the maps have to constantly be updated and this provides us with the opportunity to do that.

Michelle Madoff:

I'll go along with you. Are you satisfied with it, Mr. Robinson?

Mr. Robinson:

No, I'm not completely satisfied. I do plan to check into the situation of how much money we're spending in Planning for consultants and whether or not we're duplicating some of our efforts but in this particular instance, I don't think it's going to serve the City's interest to hold up this particular arrangement.

Michelle Madoff:

That's my point. Are you ready to go ahead with it? If you are, I'll go along with it.

Mr. Robinson:

I'll move on it at this time.

Michelle Madoff:

Okay. Thank you.

Also,

Bill No. 190

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Sandra Strader for the sale of Disposition Parcel 130 in the Thirteenth Ward of the City of Pittsburgh in Redevelopment Area No.

19. (SIDEYARD)"

Which was read.

Also,

Bill No. 191

A Resolution entitled, "Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and listed redevelopers for the sale of properties in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27. (RESALE FOR REHABILITATION)"

Which was read.

Also,

Bill No. 192

A Resolution entitled, "Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and listed redevelopers for the sale of properties in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27. (RESALE FOR REHABILITATION)"

Which was read.

Also,

Bill No. 193

A Resolution entitled, "Resolution approving Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and listed Redevelopers for the sale of properties for $1.00 per lot as per the Property Management and Maintenance Program. (PMMP SIDEYARD SALE)"

Which was read.

Also,

Bill No. 194

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by the City of Pittsburgh and designated as Block and Lot: 23-E-335 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 195

A Resolution entitled, "Resolution

authorizing the Urban Redevelopment Authority of Pittsburgh to acquire the property owned by North Side Associates, a Pennsylvania Limited Partnership, in the 26th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot: 45-M-68."

Which was read.

Michelle Madoff:

On Bill 195, Mr. Robinson, could you please tell me who the North Side Associates and Pennsylvania Limited Partnership principles are?

Mr. Robinson:

That information was not provided to Council.

Michelle Madoff:

May I ask to resubmit that bill, please?

Mr. Robinson:

So moved.

Michelle Madoff seconded the motion.

Which motion prevailed.

Also,

Bill No. 196

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in the 10th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lots: 50-H-207, 50-H-208, Neighborhood Housing Fund."

Which was read.

Also,

Bill No. 232

A Resolution entitled, "Resolution providing for the issuance of Certificates of Appropriateness for demolition of certain property in the 21st Ward and also providing for the issuance of Certificates of Appropriateness for exterior work to be done on certain structures in the 22nd and 21st Wards."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 305

Report of the Committee on General Services for February 22, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 184

A Resolution entitled, "Resolution providing for the letting of a contract or contracts, or the use of existing contracts, for the furnishing and delivery of Revolvers, for the Department of Police, Code Account Number 1457, Uniforms and Equipment; and for payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. O'Malley presented

Bill No. 306

Report of the Committee on Public Safety for February 22, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 185

A Resolution entitled, "Resolution providing for an Agreement or Agreements with The Salvation Army for professional services in connection with The Public Inebriate Program; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Relative to Bill 185, I received this letter and I'll include it with the bill. This is in line with the request that I made and it's in order.

(LETTER FROM DIRECTOR LURCOTT - 2/27/84)

27 February 1984

Mr. Robert Rade Stone, President
City Council
City-County Building
Pittsburgh, PA 15219

Dear President Stone:

In response to your request for information concerning the Salvation Army's compliance with the laws regulating group living facilities in the City, my staff has made the following two determinations:

1. That the City Solicitor's Office is satisfied that the Salvation Army has fulfilled it's part of the agreement, made with the City in the Fall of 1983, to return all jail inmates released to it's

custody back to the County Jail; and

2) That an on-sight inspection of the Salvation Army location at 44-54 South 9th Street, found that all inmates of the County Jail have been returned as of 24 February 1984.

If you need additional information, please contact me at x2200.

Sincerely,

Robert H. Lurcott
Planning Director

RHL/jls

(END OF LETTER)

Also,

Bill No. 186

A Resolution entitled, "Resolution providing for an Agreement or Agreements, effective January 1, 1984, with James K. Staud, VMD, for veterinarian services in connection with the treatment of dogs assigned to the Canine Unit of the Operations Branch of the Department of Police, and providing for the payment of cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Wagner presented

Bill No. 307

Report of the Committee on Engineering and Construction for February 22, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 156

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contracts for the rehabilitation of various Department of Parks and Recreation facilities; and providing for the payment of the cost thereof. This wil include, but not be limited to, fence work, and concrete and bituminous paving." (AS AMENDED IN COMMITTEE)

Which was read. .

Also,

Bill No. 158

A Resolution entitled, "Resolution providing for a Contract or Contracts, or

the use of existing Contracts, in connection with Renovations of Various Public Buildings; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 159

A Resolution entitled, "Resolution providing for a Contract or Contracts, including the use of existing Contracts, for construction in connection with Renovation of various Parks facilities; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 160

A Resolution entitled, "Resolution providing for an Agreement or Agreements for architectural/engineering services and/or a contract or contracts, including the use of existing contracts, including the purchase of necessary materials, supplies and equipment, for construction in connection with renovations of various fire stations; and providing for the payment of the cost thereof."

Which was read.

Mr. Wagner:

I'd like to comment on Bill Nos. 156, 158, 159, and 160. We held those bills for one week and asked for the information in regard to the work to be done in various parks in the City. I have that information and it's available to all my colleagues.

The Chair:

Thank you.

Also,

Bill No. 199

A Resolution entitled, "Resolution repealing Resolution No. 539, approved July 12, 1976, effective July 22, 1976, entitled, 'Providing for a Contract or Contracts for Intersection Improvements at the Brown's Hill and Beechwood Boulevard Intersection and related water work (PW76-3) and (W76-2); providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation'."

Which was read.

Also,

Bill No. 200

A Resolution entitled, "Resolution further amending Resolution No. 1430, approved December 29, 1980, effective January 1, 1981, as amended, entitled, 'Adopting the 1981 Capital Budget and approving the 1981 through 1986 Capital Improvement Program', by retitling a line item."

Which was read.

Also,

Bill No. 201

A Resolution entitled, "Resolution further amending Resolution No. 894, approved August 26, 1982, effective September 1, 1982, as amended by Resolution No. 944, approved September 24, 1982, effective October 8, 1982, entitled, 'Providing for a Contract or

Contracts for Superstructural Steel for the Bloomfield Bridge - Phase 3; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof', by providing for the payment of the cost thereof from the Bloomfield Bridge Trust Fund." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 202

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Massaro Corporation (Joseph A. Massaro, Jr., President) for Professional Consulting Services in connection with the establishment of the Department of Engineering and Construction; and providing for the payment of the cost thereof." (AS AMENDED IN COMMITTEE)

Which was read.

Michelle Madoff:

On Bill 202. I wasn't here until Thursday and Friday and I was trying to get some more information on this bill. It just doesn't make sense to me that we revamp, we meaning the Administration, revamps the way we do business in the City, takes the Engineering and Construction away from public works, creates a department with Mr. McDermott who I helped bring to the City because I knew his record, I worked with him previously to his coming to the City, and then hiring a consultant for Mr. McDermott, reduced from $95,000 to now $75,000.

Why are we giving Massaro $75,000? Isn't this the same company that worked at the Stadium and fouled up on the turf there and Lord knows how many thousands of dollars it's going to cost to fix that? I understand that part of his reference is his credibility and accountability and his qualifications he listed is work at that Stadium.

I also want to know how much work Massaro has had from the City; I want a dollar volume, the number of contracts. I don't think this bill ought to be passed right now. I don't care that he gave me $200.00, that I got an unexpected check from him the day before I ran for office either.

Mr. Wagner:

Mr. President, in reference to this bill, I have investigated the bill to a great degree. Originally, the bill was submitted with an estimated cost of $95,000. I have met with Mr.

McDermott, I've met with Mr. Massaro in regard to the work that is proposed to be done with the Engineering and Construction Department. We have come up with a more realistic figure of $75,000 as an estimated consulting fee. In other words, the bill was reduced by $20,000.

Now, what is the need for a consultant in the Engineering and Construction Department?

Michelle Madoff:

I don't know.

Mr. Wagner:

First of all, we have a new department, effective January 1 of 1984. There's a tremendous amount of reorganization in that department. It's Mr. McDermott intent to hire three Assistant Directors in that department. As of now, he essentially has none. He has no assistants to work in the area of reorganization. One of the areas of assistance which Massaro will be providing is assistance in the evaluation of candidates for those three Assistant Director positions.

The City is also trying to revamp their approach to construction, going from individual construction projects and managing that project with people on board to a construction management team where, if they have a big important project, they can go to Massaro, such as the Grant Street Project or the Bloomfield Bridge, and ask for their expertise as to how to approach the project.

Massaro has made a commitment; four companies bid on this project. Massaro is the only company that has made a commitment to have their top management people involved in the daily consulting portion of the contract. They have committed their Senior Vice-President, a Mr. Pete Mahaney, and a Vice-President of Construction. I attended a meeting last week with the two of them and Mr. McDermott and also various other representatives, Daryl Smith of the Water Department, in regards to the future work that has to be done for water reconstruction. I found the two people to be very confident, very open and willing to work with the City.

The degree of need of that company in the future is still unknown exactly. It may not be $75,000, or it may be more than $75,000, but I'm convinced that there is a need and I'm convinced that Mr. McDermott's task is a very difficult task in the Construction and Engineering Department.

I think all of you know that we once tried this before back about six or seven years ago, I believe. We attempted to form, or did have, an Engineering and Construction Department. It did not function well. One of the reasons why was that it did not receive the proper advice and expertise by those that are involved on a daily operation with construction companies. Mr. McDermott feels that this is one of the reasons why he does need a consultant. He needs someone out there, outside in the real world, to advise him on what is going on in the real world.

Michelle Madoff:

May I respond? I met with Mr. McDermott when I first met him and his former employer, who flew in on one of his jets. They were not getting any work with the County. They were rated number one whenever there was a listing of three. The company was not getting any work. They wanted to know whether I could direct them and I said I'm the last

person that could help you politcally.

But in checking Mr. McDermott out, we became friends over a long period of time. It would seem to me that Mr. McDermott could advise Mr. Massaro. You go back and look at Mr. McDermott's credentials and what he did for a living and you will see that he can advise Massaro.

Massaro has become almost a full-time employee of the City, certainly a political involvement with the City. I don't think anyone would dispute that. When I found out what happened at the Stadium, I was the first one to hear about it. I was told by the Mayor it was nothing. It was only one foot eight by two foot four. It was no big thing. Well, it turned out to be a big thing.

I am distressed that if it didn't work before you went out and found a man who sold his house, moved into the City because we weren't going to keep him otherwise, but his credentials were so great that we wanted him that he now needs consultants to tell him what to do. I don't think that's what's happening. I think this is a political payoff and I"m very distressed about it.

Mr. Wagner:

Mr. President, may I respond? The person who feels that this is needed the most is Mr. McDermott.

Michelle Madoff:

Mr. McDermott is going to say that if he's going to keep his job.

Mr. Wagner:

No, believe me. I've had numerous discussions with Mr. McDermott and I have confidence in what he indicates is necessary within that department. He, right now, without a doubt is overwhelmed in the Engineering and Construction Department. He is functioning without three Assistant Directors. His job right now is monumental and will continue to be over the next six months, especially with the creation of the new Water and Sewage Authority. The amount of work that will come from that Authority alone, the majority of it, will come through Engineering and Construction. His task is much greater than what the Department of Public Works has had in the past, simply because he now has Water, he now has Lands and Buildings, he now has Parks and Recreation.

One point that has not been made here. In the consulting work that Massaro is going to do, they will not be permitted to bid and receive contracts done by the City of Pittsburgh which —

Michelle Madoff:

That was my next question. You answered it.

Mr. Wagner:

I think, in itself, indicates that Massaro, in this particular instance, is not benefitting because, for instance, the Grant Street Project which was bid a couple of weeks ago and the bids were open last week, Massaro was not one of the companies and very well could have been. It was a $4 million contract. This here is a $75,000 consulting contract. A tremendous difference in the number of dollars involved.

I indicated that I have met with Massaro. I feel Massaro is a competent company, even though there were some problems at Three Rivers Stadium that pertained to the field at Three Rivers. We all know that there were some flaws there but there were many good things

done at Three Rivers Stadium.

I'm convinced, number one, that Mr. McDermott needs help, and number two, that he has confidence in Massaro. For that reason, I move that we vote positively on this piece of legislation.

Michelle Madoff:

Would you answer just one question for me? You said Mr. Massaro is no longer going to be bidding on City work, ever?

The Chair:

He can't consult and bid.

Michelle Madoff:

That's what I'm saying. If he's going to consult then he can't bid. That's it. He's through bidding. He cannot bid with the City anymore.

Mr. Wagner:

This contract here or the amount of money needed or the time to vote it to it, may be two months, it may be two years. It's undetermined how long it will take Mr. McDermott to get his department on line and functioning in the manner in which he wants it to. Therefore, his need for Massaro and the time that he may need Massaro or a consultant, is at this point unknown.

Michelle Madoff:

Are you saying that if Mr. McDermott hires — and I spoke to him a few weeks ago and he had interviewed a number of people, he was about to make his appointment, his choices — if he hires the people, they're ready to come on line and they can function, Massaro will get a portion of the $75,000, depending on how much time he's put in. It will not necessarily be the entire $75,000. Is that correct?

Mr. Wagner:

Depending on the number of hours —

Michelle Madoff:

It's on an hourly rate. What is the hourly rate?

Mr. Wagner:

The hourly rate varies depending on who is involved, whether it's secretarial help, management help, senior vice-presidents —

Michelle Madoff:

Okay and if he's through in two months or a month because Mr. McDermott is about to hire all these people and he doesn't need Massaro anymore, then Massaro then can continue bidding with the City. Is that correct?

Mr. Wagner:

Yes.

The Chair:

I'm not so sure it's that. He can't bid on that on which he consults.

Michelle Madoff:

So if he consults on the Water Department, he can't bid on that. If he consults on the Bloomfield Bridge, he can't bid on that. If he consults in any area of work —

The Chair:

Let me say it again. On that which he consults, he cannot bid.

Michelle Madoff:

I would like to see that in writing. Do we have a copy of that? Do we have it in writing that Mr. Massaro will not bid on anything that he consults?

The Chair:

Well, it's kind of a general rule, Michelle.

Michelle Madoff:

I don't want a rule. I want to see it in writing.

The Chair:

Okay. Call the roll.

Michelle Madoff:

I'm going to abstain because I don't know enough about it.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mrs. Masloff presents

Bill No. 311 Resolution approving the appointment of Hugh P. Mulvey, Jr., 1009 Davis Avenue, Pittsburgh, PA 15212, as a district member of the Pittsburgh Cable Communications Advisory Committee, to fill the unexpired term of Martin Tyler, term to expire December 31, 1984.

Mrs. Masloff moved to approve the appointment.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Michelle Madoff:

Abstain. I don't know the gentleman at all. I know nothing about him.

On the issue that we did not finish, we were talking about getting it in writing. May I please have the Clerk write to Mr. McDermott to get from Massaro in writing that he will not be bidding — it may be sort of a general rule, but I would like to see it in writing, he will not bid ever on anything that he consults on; and I'd like a copy of that as soon as possible.

I have another item of business. When I was in on Friday and I went outside — most of you people know that the paramedics were picketing the City-County Building. Our offices received numerous, numerous, numerous calls, which have surprised us from senior citizens urging that this Council support the paramedics, and I have just a very brief statement.

When Mayor Richard Caliguiri deemed it appropriate to equalize all

department heads' salaries, he did not hesitate to increase some salaries by as much as $10,000. I cannot believe that the paramedics who started out with CETA wages have not been equalized in salary to that of the police and fire personnel. The four percent increase is not the issue; equalization, equal pay for equal life saving work is the issue. For those who will no doubt ask where the money is coming from, Mr. Woods, fortunately or unfortunately, every time U.S. Steel sells a building, we get the deed transfer tax dollars.

There is sufficient unexpected potential revenue in the 1984 surplus that will more than allow for equity, fairness and decency when it comes to our paramedics. It is immoral to shortchange our paramedics. One can only really appreciate their work when we have an unexpected need for their services for ourselves or a member of the family, and they've taken me to the hospital in a coma at one time.

I think they should get comparable worth for comparable work issued. Senior citizens have been calling; they feel they're dependent on them, and I would like to point out something that I find rather amusing. Mr. Matter, the guru, has stated that the paramedics were remiss by not filling out the forms, and we the City could get our $10,000 a day. Well, thanks to people like myself, Mr. Bulls, and Councilman O'Malley, the City is getting that extra $10,000 a day because of bills we introduced. For the benefit of those who were not here, that is to charge paramedic fees for non-City residents and third party payees.

That was money that didn't come until we introduced that kind of legislation. $10,000 a day if you figure it out over 50 days a year, 40 days a year is a lot of money, we're talking about several million dollars. I don't believe that anybody in their heart would feel that the paramedics should not be paid commensurate with life-saving work of that of the police and firemen, and I would certainly hope that we would take that position.

Mr. Robinson:

Mr. President and members of Council, under old business Council Bill No. 8, which will be the subject of a hearing tomorrow —

Michelle Madoff:

Excuse me for interrupting. There will be no hearing tomorrow. I hear eight inches of snow, and they've cancelled everything in the City.

The Chair:

Do me a favor. Let him finish what he's about to say so I know where he stands.

Michelle Madoff:

I apologize.

Mr. Robinson:

Today I forwarded to each member of Council a memorandum relative to Council Bill 8. I'd like to move that the hearing scheduled for tomorrow on Council Bill 8 be cancelled and that the bill be put back into committee so that the appropriate action might be taken on Wednesday.

Mr. Woods seconded the motion.

Mr. Robinson:

My reasoning for making this motion is one to get some clarification as to those issues that will be presented to Council if and when Council Bill 8 or a

similar bill is presented to us. Council members are probably aware that there's a great deal of concern on the part of many citizens relative to the issues addressed in Council Bill 8, namely the providing of parking which would abut "A1" zoning districts.

I think there is a question as to whether or not the bill being held now for hearing is indeed a text change, whether it's a clarification, whether it's a zoning change. Those are matters which I believe are legal in nature, certainly in part, and should be addressed by the appropriate legal parties prior to this Council trying to address the more substantive issues.

Also, there is some concern as to whether or not the proper procedures were followed by the Planning Department and the Planning Commission prior to the bill reaching City Council. I think it would be to everyone's best interests to have these issues resolved, identified and clarified at the most responsible level, and I believe that to be the Planning Commission. What I would like to do on Wednesday if Council approves is to make a motion to have Council Bill 8 referred back to the Planning Commission from whence it came and request that they have a hearing on Council Bill 8 and to forward to us at the appropriate time their recommendations relative to that legislation.

I don't believe it would be in anyone's best interests, regardless of which side of the issue you might be on or might want to be on to proceed without us having clarification as to whether or not the issue should even be in front of us. I am taking no position one way or the other. I'm simply trying to save everybody some time and effort in hope that each member of Council has something better to do tomorrow than spend four hours here trying to resolve issues that perhaps should be resolved elsewhere.

I have also requested from Mr. Lurcott, who is our Planning Director and this Council's liaison with the Planning Commission, that in the future where the Planning Commission has been working with community groups and organizations for a long period of time, six months or longer, and from that work comes a document that has to be submitted to Council, it would be in everybody's best interests for Mr. Lurcott as our liaison to at least contact the Chairman of Planning, Housing and Development so that I might properly inform members of Council as to the issue that might come before us.

Without pointing a finger at any one or in anyway trying to sway anyone's opinion on the issues contained in Council Bill 8, I don't think that we are properly prepared to have a hearing tomorrow, much less to answer the many questions that we're getting on the phone and in writing. I think it's in everybody's best interests for us to make sure that where the hearing should be held it is held, and I think that is the Planning Commission. If the Planning Commission wants to take some other steps, then I think we ought to give them an opportunity to do that, but to my way of thinking as Chairman of Planning, Housing and Development there are too many unanswered questions for us to have a public hearing scheduled and to proceed at this point.

Mr. Grabowski:

Mr. President, I just wanted further clarification of Mr. Robinson's motion, and I believe his explanation was sufficient.

Michelle Madoff:

Mr. Robinson, I do want to apologize because I was shocked to hear in my office people are saying at home it was snowing out and that they're expecting eight inches tomorrow, which I found sort of strange. We got a call from Parks and Recreation in our office that — you got a call, they're calling me, and they're calling you, Sophie.

Mrs. Masloff:

Yes, but that's a different —

Michelle Madoff:

No, but I'm just saying that they're cancelling the hearing at 8:30 tomorrow because they expect eight inches of snow, and I was just sort of saying, well, if there's eight inches of snow, we're not going to have any hearings; but I must tell you, Mr. Robinson, that our office has had probably the same number of calls you have, and I'm sure the other Council members as well with reference to this issue. Correct me if I'm wrong; this is the parking in Shadyside of the bank wanting to expand its operation and add more parking. Is that correct, Mr. Robinson?

Mr. Robinson:

No, that's not correct.

Michelle Madoff:

I've been out, that's why I'm asking.

Mr. Robinson:

That's one of the reasons I want to send it back to the Planning Commssion. I think that I have probably been as close to this situation as anybody on this Council and have probably heard from all sides, and I said the same thing to persons pro and con on Council Bill 8, and that is, I don't have enough information, either from my own investigation or information that would be supplied to me normally through the Planning Commission, to say whether I'm for or against Council Bill 8.

The implications of Council Bill 8 are many. One of which is what you suggested, but there's also some other implications for other "A1" areas where there might be parking abutting that area or provisions for parking abutting that area. I think anyone in this City that lives adjacent to a "A1" area has an interest in Council Bill 8.

I think until we get all the issues straight, and until we even find out if Council Bill 8 is necessary, probably the less said about this the better, because I think there are some people who are proceeding on the assumption that the motivation for Council Bill 8 relates directly to one particular set of interests. My little bit of investigation suggests that there are many interests involved here, and with each passing day, and each passing phone call I find out there's another twist to this thing, and someone else has another side of the story; and I just think that we ought to get all those sides of the story in the official record, review it, and then determine if this Council is the appropriate place to address any of those issues.

Michelle Madoff:

Mr. Robinson, in principle I agree with everything you've said. The only thing that I'm questioning, if you'll hear me out, is that the calls that have come into our office have said please don't cancel, because people have taken vacation days, it's too late, day before,

etc., and they don't want to cancel a hearing; and it would occur to me that how better to get educated on this issue whether it has broader implications or whether it just addresses this one issue as I've understood it, perhaps erroneously, than to have the people from Zoning come in and explain to us what it's about and have the other people state their case right out in front —

The Chair:

The Chair's at a loss to understand what you're doing. You're objecting to a postponement. You just predicted eight inches of snow.

Michelle Madoff:

No, no, I'm talking in general principles on this bill now. I'm not talking about the snow storm. I'm talking about — because you might have it transferred to Thursday — if we're snowed out, we might not do it Thursday. I'm just making a point of what the people calling us are saying. I'm addressing myself to the bill, not the weather now. I think we'll probably cancel anyway because of the weather unless the weather man's wrong, and he's been wrong before, but the people are saying, let us be heard; let's hear from the Planning Department.

Mr. Robinson, you and I have had the same complaint since we've been here, that we ask for information — you remember the bill when they picketed my house on having the group homes, and then after they objected, they wanted the group homes and called me and said we really wanted it but we picketed your house because we knew we'd get a lot of attention; let that group home stay in the area.

The way we learn about these things is when the people come to Council having done their homework, and I think these people have to be accountable. The Planning Department cannot do to you what they've done for six months, not give you the information; and I think it's time to call them on the carpet as to say, there's a hearing scheduled, the people have taken their vacation days, they've taken their time to be heard; now why didn't you do it and do it right up front even if you have to have another hearing.

I don't think it should be cancelled. That's just my personal opinion and I hope we can agree without being disagreeable.

Mr. Robinson:

Well, let me just respond very quickly, because I don't think that I plan to defend the actions of the Planning Department. I think if you talk to Mr. Brown, our Zoning Administrator, and Mr. Lurcott, our Planning Director, they will share with you my complete displeasure with the process to-date on Council Bill 8. I think unfortunately 18 months of work has gone into attempting to resolve some parking and related problems in the Shadyside area.

There are those who feel that the end result of that is Council Bill 8, but they don't feel that Council Bill 8 is the result that they were looking for or that they were negotiating for, they were working towards. My understanding of a task force is that you have a task and you have a group of people who work towards the completion of that task.

Council Bill 8 is being presented to us as a text change or clarification. I think there are reasonable legal minds who are prepared to come here tomorrow and take up our time to express their concerns whether it's a text change or whether it's a zoning change, and I'm

saying to you that this Council is not technically or legally qualified to make that determination no matter how much information we get tomorrow, whether it be from citizens or from Planning; and rather than compound what is obviously an error on the part of the Planning Commission as far as I'm concerned — now, I'm only speaking as Chairman of Planning, Housing and Development — I don't think it's fair to members of Council who've worked diligently on other issues before this Council to now have to sit here and do Planning's work or to listen to citizens who have some legitimate concerns. There is a place for them to address those concerns. As Chairman of Planning, Housing and Development, I believe the appropriate place is the Planning Commission. I'm saying at least send it back to Planning.

They didn't have a hearing down there. There's a question as to whether or not the Planning Commission which was working with the citizens in Shadyside indeed fell through on the task of the Task Force. Those issues will be brought here tomorrow, but they also could be brought to the Planning Commission. If any member of this Council is so disposed to really get into this situation as I have tried to, I would suggest that if the Planning Commission and this Council decide that the hearing should be at the Planning Commission, that you go to the Planning Commission hearing.

I am disturbed that the Planning Commission did not have enough foresight to contact this Council on this kind of matter, and properly inform us as to the issues before us and ask our opinion prior to preparing legislation and sending it forward and sending a cover letter which said this is simply a clarification. Well, Councilman Robinson with his one year of law school had a question whether or not it was a clarification, but I'm not prepared to share that opinion, certainly not for free with anybody, even with one year of law school.

I have yet to see from our Law Department from Mr. Pellegrini or anyone on his staff a legal opinion on this matter that indeed this is just a clarification. You know, they're just cleaning up the legislation. The implications to me are that it might be a clarification and it might not be a clarification, and I don't like to vote if I don't know what's going on; and this is what you often say, let's not vote if we don't know what's going on.

Michelle Madoff:

Right.

Mr. Robinson:

Well, I'm following right up on your suggestion. Let's not vote if we don't know what's going on. Now, everyone on this Council by now probably understands every issue that the citizens in Shadyside and Squirrel Hill and all the other "A1" areas have, because they have been kind enough to either write them down and send them to us or call us on our private lines, and I'm wondering how they got those numbers, and explain to us their deep concern about this issue. When I add that up and my conversations with Mr. Brown, Mr. Lurcott and citizens out in Shadyside and Squirrel Hill, I recommend to this Council that we not be misused in this process and that we take advantage of an opportunity to tell the Planning Commission we would prefer that they handle this matter and then refer it back to us if appropriate, and then at that time if citizens want to come in, and they have certainly a right to come in, then let's sit here and let's listen to them but listen to what issues we're supposed to be addressing.

Unfortunately, we get a lot of issues before us that I personally don't believe should be here, but we have no way to keep anyone who picks up the microphone from saying whatever they want; but I don't think we should sit here for four hours discussing all the inadequacies of the Task Force, the Planning Commission, Mr. Brown, Mr. Lurcott, or Equibank Bank, Mellon Bank, PNB, or anybody else. I don't think that's fair. I don't think that's the way we ought to conduct business, and as Chairman of this Committee, I don't plan to conduct business that way.

The Chair:

If the Chair might for a moment, relative to the hearing, we should hold them if we announce a time, but I think Councilman Robinson is correct on this issue. I don't have a position either way on this particular situation, but I'm mindful of the area, and anytime we get where you have a conflict between the commercial and the residential or as we have obviously in Oakland and around some of our hospitals, it seems to me we ought to engage in some form of compromise of those people who live there and learn to live together in spite of whatever the problems are with a better solution than having us come a total win or a total loss.

I think he's on the right path, and at least it ought to go through Planning with that kind of understanding so that when they come to us, at least we know on what points they agree and what they don't agree, so at least if we make some decision, it's not hurting someone any more than it should.

Mr. O'Malley:

I agree with Councilman Robinson. This bill is going to have broad implications for the entire City, and it's focussed right now on the Shadyside area, and it's also going to impact the North Side area, and it's also going to impact the Oakland area and maybe push out more residential areas in favor of parking lots, and many of our community groups have been fighting against this for years now.

Michelle Madoff:

It is my understanding that when we have a hearing, we don't vote that day, do we?

The Chair:

We don't.

Michelle Madoff:

Well, at least for a couple of weeks. I don't think there's anything wrong when a group of people in excess of 25 — and this is the Shadyside group — want to come in and talk to us about a real or perceived issue. The time has been scheduled. I have no problem with listening to their input, and I have no problem with the Chariman of that Committee saying to them this has broader implications than just your area. As a matter of fact, can you help us; but I think it is wrong, I didn't create this, you didn't create this problem, to have people take days off work, and cancel the hearing. You just said so yourself.

The Chair:

The only problem with that, Michelle, let me just give you a feel for what I have. Too often when we force them in a confrontation basis to make a posture position, we almost make it then impossible for them to solve their problem; and that's why I think it's better that less be said until they go through this climate of additional compromise,

because they spent a lot of time on it. They can't be oceans apart in this particular case. I think that there is some understanding, and we ought to let that method proceed if we can. If not, we're going to have to make that decision, but I think that we ought to let that happen.

I'm going to hope that you're a better predictor of the weather than some of the —

Michelle Madoff:

I'm not predicting it. I just got a call from Parks and Recreation — called our office — called Sophie and me and said your meeting's off tomorrow, and that's how I heard about the snow. The only thing that I am really concerned about is that how do we get in touch with these people, Mike? Is there some way of letting them know?

The Chair:

We have a motion and a second.

All in favor? Opposed?

Michelle Madoff:

Opposed.

Which motion prevailed.

Mr. Wagner:

I'd like to make a statement. I'd like to compliment our Department of Emergency Medical Services for the mailing-out of the Envelope of Life, which was sent out to actually all residents in the City of Pittsburgh this past weekend. As we all know, it enables us in a more efficient manner to deal with pre-hospital care by using a personal health history form. This is a two-step process, however. The ultimate goal depends on the filling out of the form and placing it in the refrigerator as indicated in the form.

The reason why I wanted to mention it is, I think it's critical that this Council, that the news media, that people that are employed by the City of Pittsburgh promote this program. Without that being done, it won't be effective. Thank you.

Mr. Woods moved to excuse Mr. Givens for absence from the meeting.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. Robinson moved to approve the minutes of Monday, February 6, 1984, Monday, February 13, 1984 and Monday, February 20, 1984.

Michelle Madoff seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Wagner**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, March 5, 1984 No. 10

Municipal Record

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, March 5, 1984

PRESENT:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

ABSENT:

Mr. Givens

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Grabowski for Mr. Givens presented

No. 312 Resolution providing for a long term agreement by and among the Allegheny County Sanitary Authority, South Fayette Township and the Municipal Authority of the township of South Fayette, to enlarge the Project Z service area serviced by the Allegheny County Sanitary Authority by providing for sewage service for the service area of South Fayette Township including certain residences located in Cecil Township, Washington County, Pennsylvania, upon certain terms and conditions.

Which was read and referred to the Committee on Public Works.

Mr. Grabowski moved to suspend Rule 8 by providing consideration of a bill only until or after the 9th calendar day following the meeting in which the bill was introduced so it will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also,

No. 313 Resolution providing for a Contract or Contracts, or the use of existing Contracts for traffic signal installation at various locations within the City of Pittsburgh, at a cost not to exceed $200,000.00 chargeable to and payable from Code Account PW 84-20, 4-01-10-0001-84, Signals at Various Intersections.

Also,

No. 314 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the purchase and installation of poles and street lights at various locations within the City of Pittsburgh, and other work incidental thereto, at a cost not to exceed $50,000.00 chargeable to and payable from Code Account PW 84-23, 4-01-10-0010-84, Central Business District, Street Lighting.

Also,

No. 315 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the installation and removal of Flashing Signals at School Crossings at various locations within the City of Pittsburgh, at a cost not to exceed $30,000.00 chargeable to and payable from Code Account PW 84-26, 4-01-10-0495-84, Flashing Signals at School Crossings.

Also,

No. 316 Resolution providing for an Agreement or Agreements with the Borough of Green Tree and/or Louis Viglione for the purchase of a 25 foot section of Hale Park land, to effect a 50 foot wide extension of Red Oak Drive, and for the improvements of the drive; also to create a trust fund labeled or entitled "Red Oak Drive Widening Trust Fund". Funds for the purchase of the property for widening to be made by Louis Viglione to the City of Pittsburgh and deposited into said Trust Fund for the payment by the City to the Borough of Green Tree.

Also,

No. 317 Resolution granting unto Ward Hawks, 916 Arlington Avenue, his successors and assigns, the privilege and license to reconstruct, maintain and use at his own cost and expense, a porch over a portion of the sidewalk of 916 Arlington Avenue in the 18th Ward of the City of Pittsburgh.

Also,

No. 318 Communication from Louis R. Gaetano, Director, Dept. of Public Works, requesting authorization for Brother Richard Emenecker, F.S.C. to participate in the seminar entitled, "Municipal Administration of Cable Television," in Madison, Wisconsin from April 11-14, 1984, at no cost to the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

Mrs. Masloff presented

No. 319 Resolution repealing Res. No. 870, eff. Aug. 31, 1981, entitled, "Providing for the letting of a Contract or Contracts or the use of existing Contracts for concrete work repair of the Lilly Pond at Phipps Conservatory, at a cost not to exceed $10,000.00 chargeable to and payable from the Phipps Conservatory Trust Fund (PCTF), in the Department of Parks and Recreation.

Also,

No. 320 Resolution repealing Res. No. 1025 eff. Oct. 27, 1977, entitled, "Providing for the letting of a Contract or Contracts for the furnishing and delivery of Portable Heaters for the Bureau of Administration, Dept. of Parks and Recreation, at a cost not to exceed $5,000.00 payable from the Phipps Conservatory Trust Fund, Department of Parks and Recreation.

Also,

No. 321 Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting authorization for Laura Hendrickson and Wilford Parker to attend the Pocono Environmental Educational Workshop in Dingmans Ferry, Pennsylvania on April 15, 1984, at a cost not to exceed $98.00 payable from the Frick Park Trust Fund, Department of Parks and Recreation.

Also,

No. 322 Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting authorization for Susan E. Davis to attend the 1984 Therapeutic Recreation Management School at Wheeling, West Virginia, from March 18-23, 1984, at a cost not to exceed $470.00 payable from Code Account No. 1844 Special Populations Programs, Bureau of Recreational Activities, Department of Parks and Recreation.

Also,

No. 323 Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting authorization for Carl A. Mancuso, Craig B. Merritt and Kathy Frankel to attend the 37th Annual Conference of the Pennsylvania Recreation and Park Society, Inc., in Mount Pocono, Pennsylvania, from April 8-11, 1984, at a cost not to exceed $448.00 payable from Code Account No. 1838, Misc. Services, Bureau of Recreational Activities, Department of Parks and Recreation. Use of a City vehicle is also requested.

Also,

No. 324 Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting authorization for Bernard J. Caplan to attend the Lobsenz-Stevens ' Event Marketing Seminar in New York City, New York from March 28-30, 1984, at a cost not to exceed $730.00 payable from Code Account No. 1838, Misc. Services.

Also,

No. 325 Communication from Louise Brown, Director, Dept. of Parks and Recreation, notifving City Council of the proposed change of fees at the Pittsburgh Aviary, Adult Admission to be $1.50, Phipps Conservatory, Adult Admission (Show Rate Only) to be $2.00 and the Pittsburgh Zoo, Adult Admission to be $3.00, Pittsburgh Zoo, Parking Fee to be $2.00. Changes shall become effective April 1, 1984.

Which were severally read and referred to the Committee on Parks and Recreation.

Michelle Madoff:

Is that bill coming up a week from Wednesday?

Mr. Perry:

And we vote on it that Wednesday and we don't go back on a Monday again because it's a submission and we either vote it up or down? Is that right?

The Chair:

No, on a week from Wednesday we'll decide what to do with it.

Michelle Madoff:

That's what I said. On that date. We don't discuss it and come back and vote for it on the following Monday.

Mrs. Masloff:

The following Mondays are for the final vote.

Michelle Madoff:

No, Mike says that's not how it's done. I'm very concerned about that bill.

The Chair:

Let's see what happens when it comes up on the agenda.

Mr. O'Malley presented

No. 326 Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the purchase and delivery of computer equipment for the Dept. of Emergency Medical Services, at a cost not to exceed $13,000.00 chargeable to and payable from Code Account EMSTPP, Emergency Medical Services Third Party Payer Trust Fund.

Which was read and referred to the Committee on General Services.

Also,

No. 327 Communication from Glenn M. Cannon, Director, Dept. of Emergency Medical Services, requesting authorization for himself and Douglas Garretson to attend the National Fire and Rescue Instructors Conference in Cincinnati, Ohio on March 18-22, 1984, at a cost not to exceed $1,500.00 payable from the Emergency Medical Services Non-Resident Trust Fund (EMNEAS). Use of a City vehicle is also requested.

Also,

No. 328 Communication from Charles Lewis, Chief, Dept. of Fire, requesting authorization for John R. Moran, Robert Kolenda, Robert Conely, and Jack Faulkner to attend the Firefighters Instructor's Conference in Cincinnati, Ohio, March 17-22, 1984, at a cost not to exceed $2,400.00 payable from Code Account No. 1463, Misc. Services and Repairs, Dept. of Fire. Use of a City vehicle is also requested.

Which were read and referred to the Committee on Public Safety.

Mr. Robinson presented

No. 329 Resolution providing for the issuance of a Certificate of Appropriateness for work to be done in the Manchester Historic District and the Mexican War Streets Historic District. Also, providing for the issuance of a Certificate of Appropriateness for exterior work to be done on certain residential structures in the Manchester Historic District in the 21st Ward and in the Mexican War Streets Historic District in the 22nd Ward.

Also,

No. 330 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire and condemn all of the City's right, title and interest, if any, in and to the publicly owned property in the 13th Ward of the City of Pgh., designated as Block and Lot 174-R-32 in the Deed Registry Office of Allegheny County, under the (RLRF) Residential Land Reserve Fund, said property having been certified as blighted by the (VPRC) Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 331 Resolution approving the sale of Parcel 3A-1 (Landwehr Way) in the 21st Ward of the City of Pittsburgh by and between the URA and Shakespeare Street Associates for $5.00 per square foot - Industrial Land Reserve Fund.

Also,

No. 332 Resolution approving execution of Contracts by and between the URA and various Redevelopers for the sale of properties in the 12th and 21st Wards - Residential Land Reserve Fund.

Also,

No. 333 Resolution approving execution of a Disposition Contract by and between URA and John McGoogan for the sale of Block 4-H Lot 30 in the 18th Ward for $6,600.00 — Residential Land Reserve Fund (168 Arlington).

Also,

No. 334 Resolution approving execution of a Disposition of Contract by and between the URA and Robert John Smith and Samuel R. Musgrave for the sale of Block 22-R Lot 206 in the 21st Ward — Residential land Reserve Fund (1120-22 Hamlin) for $200.00 in the 21st Ward of the City of Pittsburgh.

Also,

No. 335 Resolution approving execution of a Disposition Contract by and between URA and Grane Associates for the sale of Block 22-L Lot 196 in the 21st Ward — Residential Land Reserve Fund (1109 Liverpool Street) for $1,500.00, in the 21st Ward of the City of Pittsburgh.

Also,

No. 336 Resolution approving the sale of Parcel 40 (1331 Warner) in the 21st Ward of the City of Pittsburgh by and between the URA and Grane Associates for $200.00 — Redevelopment Area No. 27.

Also,

No. 337 Resolution approving the sale of Parcels 93 and 92B (1406-1408 Rush Street) in the 21st Ward of the City of Pittsburgh by and between the URA and Marcella R. Swinton for $1,135.00 — Redevelopment Area No. 27.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 338 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the purchase of task lighting equipment for the Finance Department, at a cost not to exceed $11,500.00 chargeable to and payable from Code Account No. LB 84-10, 4-25-15-0001-84, Renovation of Public Buildings.

Which was read and referred to the Committee on Engineering and Construction.

Also,

No. 339 Resolution providing for the issuance of a warrant in favor of Michael A. Della Vecchia, Recorder of Deeds, in the amount of $1,234.50, in payment for recording plans filed by the Public Utility Commission concerning the construction of the Bloomfield Bridge, chargeable to and payable from Code Account No. PW 82-12, 4-01-05-0424-82, Bloomfield Bridge.

Which was read and referred to the Committee on Finance.

Mr. Wagner moved to suspend Rule 8 by providing consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so they will be on the agenda this Wednesday.

Mr. Woods seconded the motion.

Which motion prevailed.

Also,

No. 340 Resolution providing for the issuance of a warrant in favor of Brayman Construction Corp., in the amount of $921.46 in payment for Extra Work being in addition to the original contract price of $1,191,725.00 on Controller's Contract no. 25948, furnished for the benefit of the City in connection with the Reconstruction of the Forbes Avenue Bridge, payable from Code Account No. PW 84-38, 4-01-30-0001-84, Misc. Repairs to Streets and Structures. Prior approval granted by Council Bill No. 163, dated February 16, 1984.

Also,

No. 341 Resolution providing for the issuance of a warrant in favor of Machine Manufacturing and Repair Company, 2323 Main Street, Pgh., PA 15215, in the amount of $5,615.00 in payment for installation of three pumps at the Highland Pumping Station, chargeable to and payable from Capital Budget Account No. WD-82-02, 4-05-06-0100-82.

Also,

No. 342 Resolution providing for the issuance of a warrant in favor of Gerald Vitale, Inc. (Gerald T. Vitale, P.E., Vice President) in the amount of $22,788.15 in payment for an Emergency Contract furnished for the benefit of the City in connection with the installation of new 8" water line on Calvin Street between 42nd and 44th Street, payable from Code Account WD-83-09, 4-05-20-1055-83, Waterline Work in Conjunction with Resurfacing, Sewer and Other Miscellaneous Projects. Prior approval by Council Bill No. 3849, dated October 26, 1983.

Which were severally read and referred to the Committee on Finance.

Also,

No. 343 Resolution amending Res. No. 464, appr. June 14, 1983, eff. June 24, 1983, entitled, "Providing for an Agreement or Agreements with D'Appolonia Consultant Engineering, Inc., in connection with the Short-term Stabilization of Rock Cut Slope above E. Sycamore Street, at a cost not to exceed $20,000.00 chargeable to and payable from Code Account PW 81-38, 4-01-35-0003-81, Engineering Service Contracts.

Also,

No. 344 Resolution providing for an Agreement or Agreements with Duquesne Light Company for the privilege and license to install, use, operate, maintain, repair, renew and finally remove thirteen (13) poles, together with cables and wires, five (5) anchors, guys and other necessary appurtenances thereto belonging, upon, over, under, along, across and through certain property of the City of Pittsburgh, situated in the 26th Ward, designated as Block and Lot 76-D-1, in connection with electrical service to Riverview Park.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Woods presented

No. 345 An Ordinance amending the Pittsburgh Code, Title 1, Administrative Article XI, Personnel, Chapter 188, Personal Leave Section 188.02 Personal Leave Days Accrued, Changing Payment Method of Accrued Personal Days.

Also,

No. 346 Resolution providing for the issuance of a warrant to Fort Pitt Supply Company, in the amount of $52,000.00 in full settlement of claim for property damage, payable from Code Account No. 46, Judgments.

Also,

No. 347 Resolution amending the 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, and 1984 Capital Budgets to renumber project code accounts to reflect the reorganization creating the Department of Engineering and Construction.

Also,

No. 348 Resolution providing for an Agreement or Agreements for consulting services to assist the City of Pittsburgh in acquiring State assistance and fundings, and to work with various agencies of government for the benefit of the City of Pittsburgh, at a cost not to exceed $25,000.00 payable from Code Account No. 1017, Misc. Services, Mayor's Office.

Also,

No. 349 Resolution providing for an Agreement or Agreements for consulting services to assist the City of Pittsburgh in acquiring Federal assistance and funding, and to work with various agencies of government for the benefit of the City of Pittsburgh, at a cost not to exceed $37,000.00 payable from Code Account No. 1017, Misc. Services, Mayor's Office.

Also,

No. 350 Resolution providing for the acquisition from the Roman Catholic Diocese of Pittsburgh of certain property located in the 6th Ward, City of Pittsburgh, for the development of the No. 3 Police Station, at a cost not to exceed $85,000.00 payable from Code Account LB-84-05, Engineering and Construction.

Also,

No. 351 Resolution repealing Item F of Res. No. 964, appr. Oct. 27, 1983, for the sale of building at 6951 Hamilton Avenue, 12th Ward, designated as Block and Lot 125-M-325, to Richard Harris for the sum of $1,500.00. Resolution is to repeal sale and return the hand money because the building has deteriorated beyond repairs, and must be raised.

Also,

No. 352 Resolution repealing Res. No. 31, appr. Feb. 2, 1984, which repealed Item K of Res. No. 506, appr. July 1, 1983, for the sale of a house located at 80 Henderson Street, 25th Ward, Block and Lot 23-G-275, to Mark Farester, for the sum of $2,700.00. Resolution is to reinstate the former sale.

Also,

No. 353 Resolution amending Item L of Res. No. 35, appr. Feb. 2, 1984, which authorized the sale of property in the 27th Ward, being vacant land located on Flora, Tulia and Textor Streets, designated as Block 115-A, Lots 245-247 and Block 115-B, Lots 324-325-326-327-332-335, to Sheila M. Lowe, for the sum of $900.00. Amendment is to correct description on 2 lots. In both the proposal and resolution the size of the lot in Parcel 115-B-326 should be 24.49 X 95.21 X 25 location rear Textor Street. The location for Parcel 115-B-327 should be Textor Street, between Edwin Street and 10 Ft. Way.

Also,

No. 354 Resolution repealing Item J of Res. No. 896, appr. Oct. 14, 1983, for the sale of a vacant lot on 1100 Yetta Street, Block and Lot 47-P-128, to Daniel P. McNally, for the sum of $250.00. Resolution is to repeal sale and return the hand money.

Also,

No. 355 Resolution repealing Resolutions, approved on various dates, for the sale of various properties in varius Wards of the City of Pittsburgh in accordance with Act 514, as amended. Resolution is to cancel sales and forfeit the hand money, as the purchasers have all failed to comply with the Agreement of Sale.

Also,

No. 356 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended.

Also,

No. 357 Communication from Melanie Smith, Director, Dept. of Personnel and Civil Service Commission, requesting authorization for David Farley to attend a seminar with officials of the Bureau of the Job Training Partnership in Harrisburg, Pennsylvania on March 5-6, 1984, at a cost not to exceed $375.00 payable from JTPA-1 Trust Fund, federal funds. Prior approval granted by Council.

Also,

No. 358 Communication from Melanie J. Smith, Director, Dept. of Personnel and Civil Service Commission, requesting authorization for Michele A. Cunko to attend a symposium sponsored by the American Society for Public Administration at the Pittsburgh Hilton Hotel on March 16, 1984, at a cost not to exceed $30.00 payable from Code Account No. 1100, Misc. Services.

Also,

No. 359 Communication from Tom Flaherty, City Controller, requesting authorization for Richard O'Neil, Accounting Manager to attend the Intermediate Governmental Accounting Seminar to be held in San Diego, California on March 21-23, 1984, at a cost not to exceed $1,300.00 payable from Code Account No. 1048, Misc. Services.

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 360

Report of the Committee on Finance for February 29, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 253

A Resolution entitled, "Resolution transferring the amount of Fifteen Thousand ($15,000.00) Dollars from Code Account No. 1480, Premium Pay, to Code Account No. 1490, Equipment; both accounts within the Department of Engineering and Construction."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The aves and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 257

A Resolution entitled, "Resolution providing for the issuance of a warrant to Walter A. Harold, c/o John F. Becker, 1400 Lawyers Building, Pittsburgh, PA 15219, in the amount of $2,500.00 in full settlement of a claim for personal injuries and providing for the payment thereof."

Which was read.

Also,

Bill No. 258

A Resolution entitled, "Resolution providing for the issuance of a warrant to Marguerite Muncaster, a/k/a M.G. Peg Muncaster, c/o Stephen J. Harris, 1701 Grant Building, Pittsburgh, PA 15219 in the amount of $27,500.00 in full settlement of a claim for personal injuries and providing for the pavment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 259

A Resolution entitled, "Resolution repealing Resolution No. 5, approved January 19, 1984, effective January 26, 1984, entitled, 'Resolution authorizing the Mayor to issue a warrant countersigned by the City Controller in favor of the Commonwealth of Pennsylvania, Department of Labor and Industry in an amount not to exceed $250,000.00 to return excess funds drawn from JTPA grants."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 260

A Resolution entitled, "Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of One Thousand Three Hundred Ten Dollars and Sixteen Cents ($1,310.16) to the Commonwealth of Pennsylvania representing initial payment required for unclaimed funds for the year 1976 pursuant to the provisions of the Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 261

A Resolution entitled, "Resolution transferring $7,500.00 from Code Account No. 1060, Salaries, Regular Employees, Department of Finance to Code Account No. 1061-1, Premium Pay, Department of Finance."

Which was read.

Also,

Bill No. 262

A Resolution entitled, "Resolution authorizing the transfer of two hundred eighteen thousand, seven hundred and eighty six dollars ($218,786.00) from the CETA Trust Fund to the 1984 General Fund of the City of Pittsburgh for reimbursement of Indirect Costs of the Comprehensive Employment and Training Act Program, CETA, for Fiscal Year 1983."

Which was read.

Also,

Bill No. 263

A Resolution entitled, "Resolution amending Resolution No. 1185, approved January 4, 1984, effective December 31, 1983, to correct a program name, to add account numbers, and to add two program areas."

Which was read.

Also,

Bill No. 207

A Resolution entitled, "Resolution transferring One Hundred and Fifty Thousand Dollars ($150,000.00) from Code Account 49, Reserve Fund - Sewage Service Charges, A.C.S.A. Department of Finance, to the FICA Refund Trust Fund (FICARTF), and authorizing the reimbursement to Code Account 49, Reserve Fund - Sewage Service Charges, A.C.S.A., Department of Finance of such transfer upon receipt of sufficient funds for such a reimbursement."

Which was read.

Also,

Bill No. 208

A Resolution entitled, "Resolution authorizing the establishment of a Trust Fund to be entitled FICA Refund Trust Fund (FICARTF), authorizing the Mayor and the Director of Finance to enter into an Agreement or Agreements with CTA, Inc., for services related to the recovery of FICA Tax Reimbursements to the City and its employees for tax payments for benefits paid to employees for sick leave, such contract not to exceed One Hundred and Fifty Thousand Dollars ($150,000.00) chargeable to and payable from the FICA Refund Trust Fund (FICARTF) further authorizing the deposit of such FICA Tax Refunds into the FICA Refund Trust Fund (FICARTF), and further authorizing the disbursement of such refunds net of direct recovery cost and expenses, to the City and its employees for such tax refunds."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski for Mr. Givens presented

Bill No. 361

Report of the Committee on Public Works for February 29, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 222

A Resolution entitled, "Resolution

granting unto Joseph Ambrogio, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a patio encroachment on a portion of unimproved Saline Street in the Fifteenth (15th) Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 223

A Resolution entitled, "Resolution providing for a contract or contracts for furnishing and installing and/or reinstalling steel guardrails and facilities related thereto at various locations within the City of Pittsburgh, and other work incidental thereto; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 224

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the utilization of existing Contracts, authorizing the resurfacing of various City streets and park roads with bituminous materials, including asphalt milling, planing, regrading, recurbing, and other work incidental thereto; and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 225

A Resolution entitled, "Resolution amending Resolution No. 1210, approved December 27, 1983, effective January 1, 1984, entitled, 'Adopting the 1984 Capital Budget and the 1984 Community Development Block Grant Program; and approving the 1984 through 1989 Capital Improvement Program,' by creating new line items, and adjusting and correcting the summary totals."

Which was read.

Also,

Bill No. 280

A Resolution entitled, "Resolution amending Resolution No. 1210, approved December 27, 1983, effective January 1, 1984, entitled, 'Adopting the 1984 Capital Budget and the 1984 Community Development Block Grant Program; and approving the 1984 through 1989 Capital Improvement Program,' by increasing a line item, and adjusting the summary totals."

Which was read.

Also,

Bill No. 281

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for furnishing, installing, removing and relocating certain electrical equipment necessary for Street Lighting in the City of Pittsburgh; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 282

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contracts for furnishing and/or installing poles,

foundations, street lights, conduit wires, etc., at various locations throughout the City of Pittsburgh; and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

The Chair:

Members of Council, at this time I must leave to catch a plane to go to Washington, D.C. for an emergency meeting we have there. Mr. Woods will complete the meeting.

Mr. Robinson presented

Bill No. 362

Report of the Committee on Planning, Housing and Development for February 29, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 195

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire the property owned by North Side Associates, a Pennsylvania Limited partnership, in the 26th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot: 45-M-68."

Which was read.

Mr. Robinson:

On Council Bill 195, I'd like to make a motion to recommit.

Michelle Madoff seconded the motion.

Which motion prevailed.

Michelle Madoff:

Discussion. I was going to ask the same thing; I'm glad my colleague asked. This is the one where Mr. Robinson and I both requested information as to who the principles were, Mike. We never got that information. Did you get it? Mr. Robinson and I did not get the principles. We want to get the message back that we're not going to vote in a vacuum. This Council is not going to be led by the nose and when they want our opinion by the Administration, we'll give it to them. We're going to know who we vote on, what we vote on, to the best of our ability.

Also,

Bill No. 233

A Resolution entitled, "Resolution

providing for an Agreement or Agreements with a consultant or consultants for auditing services in connection with the Community Development Block Grant Program (Third Party Contracts)." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 234

A Resolution entitled, "Resolution amending Resolution No. 128, effective March 1, 1979, as amended by Resolution No. 870, approved September 28, 1979, entitled, 'Resolution providing for an Agreement with the Perry Athletic Association and Senior Citizen Council for the renovation of the interior and exterior of the existing facility located at 101 Bon Vue Street, 26th Ward, City of Pittsburgh', so as to reduce the amount authorized from $100,000.00 to $99,847.84."

Which was read.

Also,

Bill No. 235

A Resolution entitled, "Resolution amending Resolution No. 1442, effective January 1, 1982, as amended by Resolution No. 1039, effective October 19, 1982, entitled, 'Providing for an Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for its assumption of the administration of programs formerly administered by the Department of City Developing and Housing."

Which was read.

Also,

Bill No. 236

A Resolution entitled, "Resolution amending Resolution No. 1158, effective December 31, 1983, entitled, 'Providing for an Agreement or Agreements with the Lawrenceville Citizens Council, Inc., located on Thirty-Seventh Street in Lawrenceville to provide for general rehabilitation work on the old Saint Augustine's School Building which would be used for various community activities." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 237

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Urban Redevelopment Authority and The Whale's Tale, a non-profit organization located at 5100 Centre Avenue, for the rehabilitation of a vacant building at 3501 Liberty Avenue, in Lawrenceville, to be used as an Emergency Shelter and Treatment Center for runaway, abused, and neglected youths." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 238

A Resolution entitled, "Resolution providing for an Agreement or Agreements with VINTAGE, Inc. of East Liberty for assistance in implementing its 'Adult Day Care Program'."

Which was read.

Also,

Bill No. 239

A Resolution entitled, "Resolution amending Section 11 of Resolution No. 1228, effective December 31, 1979, as previously amended by Resolution Nos. 504, 635 and 1065 of 1980; and by Resolution Nos. 316, 797, 1201 and 1419 of 1981; and by Resolution No. 416 of 1982; and by Resolutions Nos. 889 and 1134 of 1983, entitled, 'Providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the 1980 Community Development Block Grant Program', so as to decrease line item HD-80-12 'Housing Department Administration, Including Neighborhood for Living Center' from $132,000.00 to $102,881.03; and further to increase line item CC-80-01 'Unspecified Local Option' from $2,320,000.00 to $2,349,118.97 (+$29,118.97)."

Which was read.

Also,

Bill No. 240

A Resolution entitled, "Resolution amending Section 11 of Resolution No. 1420, effective December 31, 1980, as previously amended by Resolution No. 559 and 835 of 1981; and by Resolution No. 417 and 830 of 1982; and by Resolution No. 212 and 1012 of 1983 entitled, 'Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing - Urban Development for a grant in connection with the 1981 CDBG Program', so as to decrease line item HD-81-11, 'Housing Department Administration Including Neighborhoods for Living Center', from $90,000 to $80,000 and further to increase line item CC-81-01, 'Unspecified Local Option' from $1,580,000 to $1,590,000."

Which was read.

Also,

Bill No. 241

A Resolution entitled, "Resolution amending Resolution No. 388, effective June 10, 1983, entitled, 'Providing for an Agreement or Agreements with the Pittsburgh Clean Cities Committee, a non-profit corporation, for the purpose of employing economically disadvantaged youths to clean up and/or landscape City neighborhoods', so as to reduce the amount authorized to actual contract expenditures."

Which was read.

Also,

Bill No. 242

A Resolution entitled, "Resolution amending Resolution No. 726, effective July 30, 1981, entitled, 'Providing for a contract or contracts for the Replacement of the 12" Main in South 30th Street, between Josephine and Mary Streets and providing for the payment of the cost thereof', by reducing the amount authorized to actual contract expenditures."

Which was read.

Also,

Bill No. 243

A Resolution entitled, "Resolution amending Resolution No. 464, effective June 3, 1980, entitled, 'Authorizing the Mayor and the Director of the Department of Housing to enter into an Agreement or Agreements, in a form approved by the City Solicitor, with the Urban League of Pittsburgh, Inc., for city-wide housing counseling and housing

information services to the City in carrying out its Community Development Program', so as to reduce the amount authorized to actual contract expenditures."

Which was read.

Also,

Bill No. 244

A Resolution entitled, "Resolution amending Resolution No. 978, effective October 13, 1981, entitled, 'Providing for a contract or contracts with Women in Community Development for the purpose of conducting a needs assessment and analysis of housing needs of female headed households', decreasing the amount provided from $4,000.00 to $2,891.44 (actual contract expenditures)."

Which was read.

Also,

Bill No. 245

A Resolution entitled, "Resolution amending Resolution No. 1091, effective November 12, 1981, entitled, 'Providing for an Agreement or Agreements with the St. Vincent DePaul Society, a non-profit organization, located at 2005 Wyandotte Street and the Urban Redevelopment Authority', so as to reduce the amount authorized to actual contract expenditures."

Which was read.

Also,

Bill No. 246

A Resolution entitled, "Resolution amending Resolution No. 367, effective April 30, 1982, as previously amended by Resolution No. 1046, effective October 19, 1982, entitled, 'Resolution providing for a contract or contracts in connection with site improvements at the 13th Ward War Memorial at the intersection of Frankstown Avenue and Bennett Street by providing for advertisement for proposals by the Director of the Department of Supplies and the use of existing contracts', reducing the amount authorized therein to actual contract expenditures."

Which was read.

Also,

Bill No. 247

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 18th Ward of the City of Pittsburgh owned by James Franklin Avery, Sr. and designated as Block and Lot 4-H-30 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 248

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Marion J. Dietrich, Albert O. Dietrich and Philbert Dietrich and designated as Block and Lot 22-D-138A in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant

Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 249

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Cleo A. and Mildred Brooks and designated as Block and Lot 23-E-117 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Reveiw Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 250

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire and condemn all of the City's right, title and interest, if any, in and to the publicly owned properties in the 25th Ward of the City of Pittsburgh designated as Block and Lot 23-E-336 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 251

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 10th Ward of the City of Pittsburgh owned by Edna Dora Mason and Betty Rogers and designated as Block and Lot 50-H-179 in the Deed Registry Office of Allegheny County, under the Neighborhood Housing Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 252

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire and condemn all of the City's rights, title and interest, if any, in and to the publicly owned properties in the 10th Ward of the City of Pittsburgh designated as Block and Lots: 50-H-175, 50-H-176, 50-H-177, 50-H-178, 50-H-180, 50-H-209, 50-H-210, 50-H-212 in the Deed Registry Office of Allegheny County, under the Neighborhood Housing Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Michelle Madoff:

Mr. President, I had requested some time ago that the City Clerk schedule a hearing with Brother Richard and the Cable Committee, Mr. Brophy and — there must be about ten people, is that right, Mike, that could be involved, Walt Bent from Warner — to discuss how

we can put the City-owned properties, whether they're from the Vacant Review Committee, URA, Lands and Buildings, onto the cable station, in addition to which we would advertise in display ads so that everybody out there has the same rights and the same exposure and the same ability to purchase properties that some people in house are having as opportunities. I think it was cancelled because of budget and we were waiting until the new year; I sort of let it go until the new year and then I was out for a little bit. So, I would like to quickly schedule that and I would like to ask if possible, since we don't have to advertise it, Mike, it's already been advertises and it's been notified a dozen times, I'm going to be asking for the cancellation of a hearing next Tuesday. If you want to supplement it, that would be fine with me. We won one; we don't have to have a hearing for a change.

The Chair, Pro tem:

Mike, would you check into that please?

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't Pro tem)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

Bill No. 363

Report of the Committee on Parks and Recreation for February 29, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 264

A Resolution entitled, "Resolution authorizing and directing the Director of the Department of Parks and Recreation to change the name of Parcel #2 Ball Field, formerly known as Allegheny High, located in North Side, to Richie McCabe Memorial Field." **(SPONSORED BY BEN WOODS)**

Which was read.

Also,

Bill No. 227

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Allegheny County Cultural Alliance for the furnishing of services for the benefit of the residents of the City of Pittsburgh during 1984, and providing for the payment of the cost which is not to exceed $20,000.00 and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 228

A Resolution entitled, "Resolution providing for an agreement or agreements with the North American Fencing Corporation and James McClowry, M.D. for the installation of a chain link fence at the site of the Conservatory-Aviary, at no cost to the City."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't Pro tem)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Wagner presented

Bill No. 364

Report of the Committee on Engineering and Construction for February 29, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 254

A Resolution entitled, "Resolution providing for a contract or contracts, or the use of existing contracts, for lighting installation at various park facilities; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't Pro tem)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 365 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, informing City Council of the appointment of Allen J. Cousin of 1215 Beechwood Boulevard, Pittsburgh, Pennsylvania, 15206, as a member of the Housing Authority Board of the City of Pittsburgh, term to expire June, 1988.

Which was read, received and filed.

Also,

No. 366 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, informing City Council of the reappointment of Jim Reich of 5869 Marlborough Avenue, Pittsburgh, Pennsylvania 15217, as a member of the Housing Authority Board of the City of Pittsburgh, term to expire June, 1988.

Which was read, received and filed.

Also,

No. 367 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, informing City Council of the reappointment of Mrs. Sophie Masloff of 510 City County Building, Pittsburgh, Pennsylvania 15219, as a member of the Stadium Authority Board, term to expire January, 1989.

Which was read, received and filed.

Mr. O'Malley:

What you're saying is, is that an appointment just to the Housing Authority Board, that Council doesn't vote on it? It's the prerogative of the Mayor to appoint whoever he wants.

The Chair:

He must inform us. That's what he's doing. Some of those Boards, he makes the nomination with our consent. On others, he makes the nomination, period, without knowledge.

Mr. O'Malley:

I'm in disagreement here. What Boards do we have to confirm the nominations?

Mr. Perry:

What Boards do you have to? The ones you don't have to is easier.

Mr. O'Malley:

I'd like to have a list of all the Boards and their bylaws and which ones we confirm and which ones we don't confirm.

Michelle Madoff:

Why don't you check them off for us? Put a big star next to the ones I'm on since I'm not on any.

The Chair:

Relative to the one before you, ordinarily we hold for two weeks. Some of these are reappointments and those who are particularly directors, I think in this group is Lurcott and Schmeiser and a few of the others. If you want them to come in here at any rate for discussion in two weeks, then I'll entertain a motion for that effect. If not, if you want to reappoint all those that we know of at this moment, let us so indicate.

Mr. Woods:

I make the motion to reappoint.

Mr. O'Malley:

I'd like to know who they are before somebody seconds that motion.

The Chair:

Okay, we're going to do that now. Read them all off.

Also,

No. 368 Communication from Richard S. Caliguiri, Mayor, City of

Pittsburgh, reappointing Ms. Mary Cherubin of 38 Maytide Street, Pittsburgh, Pennsylvania 15210, as a member of the Sinking Fund Commission, for a term to expire December, 1988.

Which was read, received and filed.

Also,

No. 369 Resolution reappointing Ms. Mary Cherubin of 38 Maytide Street, Pittsburgh, Pennsylvania 15227, to the Sinking Fund Commission for a term to expire December, 1988.

Which was read.

Mr. Grabowski:

Mr. President, how do these differ from the first three?

The Chair:

On certain authorities as they are set up, the Mayor makes a direct appointment. On others, as they were set up by the Enabling Act from the State, in those cases, it would be where the Mayor, with the consent of Council, approves.

Mr. Grabowski:

It was my understanding that by virtue of the Home Rule Charter that the Mayor indeed made the appointments, all appointments, but Council had to approve all those appointments.

The Chair:

No, Act 62 could not amend what was already there, the State Enabling Act.

Mr. Grabowski:

Alright. I appreciate . that clarification.

The Chair:

This comes up all the time. It's a good question but —

Michelle Madoff:

When he wants our opinion he gives it to us.

Mr. O'Malley:

What I'm saying is, I think the motion was made by Councilman Woods and I'd like to have that withdrawn because I think this Council should have these appointments at least a week or two weeks, even for Mr. Wagner and Mr. Grabowski, who are in their first term and not familiar with the Boards and Authorities and who is being appointed. Myself, I would like to have the opportunity to —

The Chair:

I think it's a good point. Mr. Woods, do you want to withdraw your motion?

Mr. Woods:

I have no problem.

The Chair:

Fine. Mike, read them all and we'll have one motion for all of them to hold for one week.

Also,

No. 370 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, reappointing Mr. Ronald C.

Schmeiser of 5612 Aylesboro Avenue, Pittsburgh, Pennsylvania 15217, as a member of the Equipment Leasing Authority, for a term to expire June, 1988.

Which was read, received and filed.

Also,

No. 371 Resolution reappointing Mr. Ronald Schmeiser of 5612 Aylesboro Avenue, Pittsburgh, Pennsylania 15217, to the Equipment Leasing Authority for a term to expire June, 1988.

Which was read.

Also,

No. 372 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, reappointing Mr. Robert H. Lurcott of 7401 Ben-Hur, Pittsburgh, Pennsylvania 15208, as a member of the Historic Review Commission for a term to expire December, 1986.

Which was read, received and filed.

Also,

No. 373 Resolution reappointing Mr. Robert Lurcott of 7401 Ben-Hur, Pittsburgh, Pennsylvania 15208, to the Historic Review Commission for a term to expire December, 1986.

Which was read.

Also,

No. 374 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, reappointing Ben Woods of 3715 California Avenue, Pittsburgh, Pennsylvania 15212, as a member of the Housing Authority of the City of Pittsburgh Board, for a term to expire June, 1988.

Which was read, received and filed.

Also,

No. 375 Resolution that the reappointment of Ben Woods, be and the same, is hereby approved and confirmed as a member of the Housing Authority of the City of Pittsburgh Board for a term to expire June, 1988.

Which was read.

Also,

No. 376 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, reappointing William Colbert, 7525 Graymore Road, Pittsburgh, Pennsylvania 15221, as a member of the Housing Authority of the City of Pittsburgh, for a term to expire June, 1988.

Which was read, received and filed.

Also,

No. 377 Resolution that the reappointment of William Colbert, be and the same, is hereby approved and confirmed as a member of the Housing Authority of the City of Pittsburgh Board for a term to expire June, 1988.

Which was read.

Also,

No. 378 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, reappointing Ruth Pittrell of 883 Whiteside Road, Pittsburgh, Pennsylvania 15219, as a member of the Housing Authority of the City of Pittsburgh Board, for a term to expire June, 1988.

Which was read, received and filed.

Also,

No. 379 Resolution that the reappointment of Ruth Pittrell, be and the same, is hereby approved and confirmed as a member of the Housing Authority of the City of Pittsburgh for a term to expire June, 1988.

Which was read.

Also,

No. 380 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, appointing Leo Bigley of 2001 Walton Avenue, Pittsburgh, Pennsylvania 15210, as a member of the Housing Authority of the City of Pittsburgh Board, for a term to expire March, 1986.

Which was read, received and filed.

Also,

No. 381 Resolution that the appointment of Leo Bigley, be and the same, is hereby approved and confirmed as a member of the Housing Authority of the City of Pittsburgh for a term to expire March, 1986.

Which was read.

Also,

No. 382 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, appointing Mildred Turner of 417 Robinson Court, Pittsburgh, Pennsylvania 15219, as a member of the Housing Authority Board of the City of Pittsburgh, for a term to expire June, 1988.

Which was read, received and filed.

Also,

No. 383 Resolution that the appointment of Mildred Turner, be and the same, is hereby approved and confirmed as a member of the Housing Authority of the City of Pittsburgh for a term to expire June, 1988.

Which was read.

Also,

No. 384 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, reappointing Mr. R.A. Zern of 10 Allegheny Center, Pittsburgh, Pennsylvania 15212, as a member of the Board of Code Review, for a term to expire December, 1986.

Which was read, received and filed.

Also,

No. 385 Resolution reappointing Mr. R.A. Zern of 10 Allegheny Center, Pittsburgh, Pennsylvania 15212, to the Board of Code Review for a term to expire December, 1986.

Which was read.

Also,

No. 386 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, reappointing Mr. John Busse of 1575 Noblestown Road, Pittsburgh, Pennsylvania 15205, as a member of the Board of Code Review, for a term to expire December, 1986.

Which was read, received and filed.

Also,

No. 387 Resolution reappointing Mr. John Busse of 1575 Noblestown Road, Pittsburgh, Pennsylvania 15220, to the Board of Code Review for a term to expire December, 1986.

Which was read.

Also,

No. 388 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, reappointing Ms. Sharon O'Neil of 586 Moorhead Place, Pittsburgh, Pennsylvania 15206, as a member of the Board of Code Review, for a term to expire December, 1986.

Which was read, received and filed.

Also,

No. 389 Resolution reappointing Ms. Sharon O'Neil of 586 Moorhead Place, Pittsburgh, Pennsylvania 15232, to the Board of Code Review for a term to expire December, 1986.

Which was read.

Also,

No. 390 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, reappointing Mr. William Coleman of 7130 Mt. Vernon, Pittsburgh, Pennsylvania 15208, as a member of the Board of Code Review, for a term to expire December, 1986.

Which was read, received and filed.

Also,

No. 391 Resolution reappointing Mr. William Coleman of 7130 Mt. Vernon, Pittsburgh, Pennsylvania 15208, to the Board of Code Review for a term to expire December, 1986.

Which was read.

Also,

No. 392 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, reappointing Mr. James E. Simms of 1069 Stoneville Street, Pittsburgh, Pennsylvania 15221, as a member of the Minority Enterpirse Review Committee, for a term to expire April, 1986.

Which was read, received and filed.

Also,

No. 393 Resolution reappointing Mr. James E. Simms of 1069 Stoneville Street, Pittsburgh, Pennsylvania 15221, to the Minority Enterprise Review Committee for a term to expire April, 1986.

Which was read.

Also,

No. 394 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, reappointing Mr. Herman Reid of 1554 Petunia Street, Pittsburgh, Pennsylvania 15210, as a member of the Minority Business Enterprise Review Committee, for a term to expire April, 1986.

Which was read, received and filed.

Also,

No. 395 Resolution reappointing Mr. Herman Reid of 1554 Petunia Street, Pittsburgh, Pennsylvania 15210, to the Minority Business Enterprise Review Committee for a term to expire April, 1986.

Which was read.

Also,

No. 396 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, reappointing Mr. Richard Scaife of 5201 Westminister Place,

Pittsburgh, Pennsylvania, 15232 as a membr of the Zoological Park Commission, for a term to expire October, 1987.

Which was read, received and filed.

Also,

No. 397 Resolution reappointing Mr. Richard Scaife of 5201 Westminister Place, Pittsburgh, Pennsylvania 15232, to the Zoological Park Commission for a term to expire October, 1987.

Which was read.

The Chair:

On all those that are new, Mike, they certainly should come to the table. So, anyone that is not a reappointment, as a general rule, they would be here next Wednesday.

On the others, if there's any that are being reappointed that you would like to have, let Mike know. Anyone is entitled to have that.

Michelle Madoff:

Richard Scaife.

Mr. O'Malley:

I think out of courtesy they should all appear before Council just in case any member of Council would like to discuss something.

The Chair:

Fine. Does everybody agree to that? Alright, fine. Everybody comes, Mike.

I'll entertain a motion.

Mr. O'Malley moved for approval.

Mr. Woods seconded the motion.

Which motion prevailed.

Michelle Madoff:

Discussion. I need clarification on an issue.

The Chair:

The issue right now is whether or not they should all appear or not.

Michelle Madoff:

If you answer my question then it will clarify whether they should appear or not. I want to know if this whole process is valid. Is there something in the Home Rule Charter that says that each Board should have a member of Council on it or does it say that every member of Council must be on a Board? Which is it? Does the Parliamentarian know that? Some members of Council do not necessarily have to be appointed to anything. Is that correct? Is that the legality?

The Chair:

I'm not sure but we'll check it out.

Michelle Madoff:

Could I have that checked by the Parliamentarian, please?

Parliamentarian:

You should just ask the Legal Department.

Michelle Madoff:

The Legal Department? We do have a Legal Department?

The Chair:

Wait. Let's not complicate it. She has asked for a legal opinion. Let's get one.

Michelle Madoff:

The reason I'd like to know is that I've been here five an a half years and to date, lucky me, I haven't been appointed to anything yet.

The Chair:

Alright. Let's find out what our requirements are. Okay? Then we'll find out if we can solve it.

Mr. Robinson:

If I might, I'd like to have a copy of all the legislation that was forwarded by the Administration relative to these appointments.

The Chair:

Give him the summary list, Mike, for everybody.

Mr. Robinson:

Like Mr. O'Malley, this is the first time that I have become familiarized with this information and I think it's vitally important that Council be aware of who is going to be appointed or who the Administration is recommending, whether it's a new appointment or an old appointment. I think that the process does provide for our input and I think for a very good reason. I, for one, have some concerns about some of the proposed reappointments and I'd like to address those concerns in public and certainly with all due respect to the individuals that the Mayor has suggested.

Also, I think that it's important that we get some information relative to those Boards and Authorities that this Council has a legal obligation to approve the appointments, whether they be new appointments to reappointments. We need to have that information in writing so that there won't be any misunderstanding when it comes time for us to take the final vote.

Also, I'd like to make the request that I have made on several occasions and that is, we need an updated list of all of our Boards and Authorities, the persons who are serving, and when their term is expired. I have long been an advocate that all Boards and Authorities should have a full compliment and I think that we've found in the past that there are some Boards and Authorities where people are serving way beyond their legal limit to serve. Some other Boards and Authorities don't have a full compliment. Some other Boards and Authorities simply are in a position where people have not been reappointed; no process has been initiated to do that.

I think since we have such a lengthy list of individuals to be reappointed and appointed, now is an appropriate time to look at all the Boards and Authorities and to take the appropriate action. The City Charter does provide that if the positions on the Boards and Authorities are not filled within a specified period of time, that this Council is authorized to take action. I think that we ought to do that because it's in the best interest of the City to have all those Boards and Authorities filled. I think we need to have the appropriate information in front of us so we can make an intelligent evaluation.

Michelle Madoff:

Excuse me. We did not get a commitment as to when Mr. Robinson

would get his list. He's asked for it for a long time.

The Chair:

Mike, you ought to put that on a word processor and just roll it off.

Mr. Perry:

We have it up to date.

Michelle Madoff:

Could I have a copy of it as soon as possible?

Thank you.

Mr. Wagner:

Just one comment. Mr. President, could we have also, the suggested names, know where those people reside to determine whether or not they are City residents?

The Chair:

It's part of the bill.

Mr. Grabowski:

Mr. President, since there was some discussion about Boards and Authorities, I'd like to quote from the Home Rule Charter. It says, "Composition of Authorities and Boards —

The Chair:

Steve, can I make a suggestion? We're going to be going on with this issue for a long time; we're not going to vote on anything today anyway.

Michelle Madoff:

I'd like to hear that; I think it would be interesting.

Mr. Grabowski:

It's only a few sentences. It says, "A member of Council shall serve on each authority board. However, no member of Council may serve on more than one authority board at the same time."

So, I would suspect if we have more than nine authorities we're in trouble.

The Chair:

Thank you. Thank you very much.

Michelle Madoff:

Mr. President, could that be included if anybody serves on more than one board, please? Mike, give us a list of every member of Council and what boards they sit on.

The Chair:

Council cannot serve on more than one board. Some of that other stuff, I think, is not really the true sense of the board.

Okay, let's move on.

Michelle Madoff:

Mr. President, I don't know the correct order to do this so I'll do the best I can.

I have a bill pending that was a motion to cancel the hearing scheduled for Tuesday, March 13, 1984, at 10:00 a.m., Bill No. 30. I'm going to read it to you; it's in your Committee.

"An Ordinance supplementing the Pittsburgh Code, Title Six, signs on

gasoline stations for all districts, by requiring gasoline stations, service station, or other retail gasoline outlets that sell gasoline fuel containing more than one percent of alcohol to display signs indicating the amount and type of alcohol."

I had a meeting in my office with the representatives of all the petroleum industries and it seems that the only one in this area selling the fuel at this point is Arco. They have agreed to comply by posting this sign on all pumps which says, this fuel is approved by the U.S. Environmental Protection Agency and meets the American Society for Testing and Material Standards but it also says maximum alcohol content, methanol, and in this case it's four and a quarter percent, co-solvent four and a half percent, which was the purpose of my hearing because in laws regarding blending of alcohol and gasoline have been adopted in Arizona, Arkansas, California, Colorado, Florida, etc., etc., and what they say is that you must post a sign.

Now, if I learn or if Mr. O'Malley should learn something further in his Committee, that there is something further he'd like to do with that, I would certainly hope that he would take over. But if we won the battle there's no point in having a hearing and subjecting everybody to the time.

I would like to then request, as I have previously, that we reschedule the hearing on giving people the opportunity to buy properties, let everybody have the same information, make all information available, and again, I'd like everybody to put their thinking caps on and come up with some way that when people call us — Can I buy a piece of property? — One of our chauffeurs had a piece of property and it was taken away from him because they put it up by mistake; he'd like another piece of property. If he knows that on certain days, Monday or Tuesday, we'll show properties in Wards one through five and another day we'll show six through whatever, he can tune in and look. People in the commercial end of the business can look on certain days. If somebody is a realtor, we could have certain days that realtors can have a television in their office to look and buy our books which will pay for the printing.

So, that's the kind of thing I hope to do on Tuesday.

The Chair, Pro tem:

Can I interrupt you for one moment? Michelle, instead of a public hearing on something that is really going to be done in house, getting the different directors together and Warner Cable, Brother Emenecker, couldn't we just have a post agenda on that subject and handle it in that manner?

Michelle Madoff:

Certainly. No problem. We were cancelling this hearing anyway and I thought well, if we want to substitute it, that's fine with me.

The Chair, Pro tem:

I think a post would be much better.

Michelle Madoff:

Well, we have a problem. This Wednesday we have a meeting, right?

Mr. Perry:

I'll schedule it for the 28th, Michelle. It's the last Wednesday in March.

Michelle Madoff:

That's alright with me but you know we've had some real problems, Mr. Chairman.

Mr. O'Malley:

A post agenda on what, Michelle?

Michelle Madoff:

On how we would sell the properties, how they would advertise them on the air and how the people would have the advantage of knowing — For example, one day when I was home ill, I tried to find, just out of curiosity, Channel 17 which is our station, what was on. Do know it's not listed in the Press?

Mrs. Masloff:

It says Government Channel.

Michelle Madoff:

But it doesn't say 17.

Mrs. Masloff:

Yes it does. It says 17 is the Government Channel. You see, it's a cable and they don't list all the cable.

Michelle Madoff:

That's what I'm saying. I think that it's incumbent upon us as part of our budget. There's no point in letting the people being informed if we don't advertise in the paper and say, "You can be informed. Watch Channel 17."

The Chair, Pro tem:

Mike, you'll handle that?

Mr. Perry:

Yes.

Mr. O'Malley:

On that same subject. On the post agenda for Brother Emenecker, I'd like to have included Warner Cable in general.

Michelle Madoff:

They're already invited.

Mr. O'Malley:

My understanding is that they're playing reruns of Council sessions and reruns of the hearings that we have, like on the budget hearing. They're having reruns on anything that they would like.

Mrs. Masloff:

I never heard that.

Mr. O'Malley:

This is what I was told. I don't think anybody here authorized them to have reruns of Council sessions. I know we authorized them to have live Council sessions.

Michelle Madoff:

I think there's two shows now.

Mr. O'Malley:

No, it's reruns. I'd like to have that issue brought up too.

The Chair, Pro tem:

Okay, at the post agenda.

Michelle Madoff:

Mr. Chairman, the problem we've had is to get Mr. Walt Bent here.

Mrs. Masloff:

Wait a minute. We don't need him. This is Government Channel and we decide what goes on the Government Channel. He has nothing to do with it.

Michelle Madoff:

Sophie, with all due respect, Brother Richard told me that he's going to try to get another channel, the same as the religious station, just get a station devoted entirely to showing properties. I spoke to Mr. Bent about it and Mr. Bent begged off because he couldn't be here, something was going on, somebody was sick or something, in his family. It trying to get us all together that's been the problem. So, when vou do it for the 28th, if Bent isn't here we're back — cancelled again.

The Chair, Pro tem:

Try to get a commitment, Mike, if he can be here on the 28th.

Mr. Robinson:

Mr. President and members of Council, I would like to submit the following report on my most recent trip to our Nation's Capital, Washington, D.C., Wednesday, February 29, 1984 through Saturday, March 3, 1984.

The purpose of my trip was to attend the Fourth National Policy Institute, which was a conference, non-partisan in nature, for Afro-American elected and appointed officials.

The major objectives of the Institute were:

1) To provide a forum for the discussion of policies that affect Afro-Americans;

2) To develop and expand communications among Afro-American elected officials and between those officials and various resource organizations;

3) To identify specific programs and projects that Afro-American elected officials wish to pursue in the future.

One of the sponsors, The Joint Center for Political Studies, has as it's Chair Wendell Freeland, Esquire, a local Pittsburgh attorney.

I attended the Institute as a Member of this Council and Chairman of it's Committee on Planning, Housing and Development, as a Member of The National Black Caucus of Local Elected Officials, and as a Member of the Congressional Black Caucus Braintrust on Minority Business Development.

Additional information will be provided upon request.

Thank you.

The Chair, Pro tem:

Thank you, Mr. Robinson.

Michelle Madoff:

Mr. President, particularly with your background in labor, I know you share a same concern that I have with what is going on in this community rampantly, one after the other, one after the other. It started with Equitable when I first got involved with the people not having a contract and I think they

went back. I just helped them save face and go back. I don't know if they ever did get their contract.

The "misunderstanding" between Mellon and Mesta when they impounded the money and pretended they didn't know it was a mistake, didn't have the guts to admit they made a mistake; I got involved in that. I have been involved in the negotiations at Station Square; I went down to see a gentleman representing them on labor to tell them that this is going to come back and haunt them, the way their treating their employees with their labor negotiations. It seems that there is a concerted effort in this community to absolutely wipe out labor in its entirety.

Now we have the situation, as you know and you're probably much more knowledgeable than I am on the Armour and I'm not really versed on it, you are more than I am and I hope you would share with Council, but I am very concerned about the issue with Union Switch and Signal. Here is a situation where money has been obtained in this area from Port Authority with the fixed dollar of X amount and what they're doing is producing the material out of state, in the South, cheaper, yet we've given them a larger sum, we being indirectly the taxpayers, to Port Authority.

I called Mr. Roddy today and I asked him if he would please look into that and address that but I would like to see if you would follow through on it as well because I know they spoke with you.

I wonder what we, in Council, can do. You know, we were really ridiculed when we supported the plant notification bill as being irresponsible and keeping business out. We haven't even done anything and look what's happening to the business. Is there anything happening? I wanted to ask you about that.

The Chair, Pro tem:

Councilman Wagner has been very, very active with the people from Union Switch and Signal. In fact, he spoke at the Port Authority meeting, I believe, on the 24th of February. He has spoken to Roddy and, in fact, we had a meeting this morning with Jack and I and Bob Stone, Commissioner Foerster and the people from Union Switch and Signal and Mayor Caliguiri. They are setting up future meetings with the Port Authority Board and Union Switch and Signal. Commissioner Foerster and Mayor Caliguiri are trying to get in touch with the Corporate Chairman of Union Switch and Signal in New York to try to resolve this problem. So, there are many people here really moving rapidly on this issue.

Michelle Madoff:

I just thought we ought to be briefed.

The Chair, Pro tem:

Jack Wagner has really been out front on this issue and he deserves all the credit.

Michelle Madoff:

We got a good man when we got him elected.

Mr. Wagner:

I'd just like to say, if you would like any additional information, I'd be more than happy to provide it to you. I don't think it's the best issue right now to express publicly; I think we're better off just trying to be as effective as we can behind the scenes.

Michelle Madoff:

I'll trust your judgment on that and I'm sure you'll brief me if there's anything I should know about.

On another matter, I know that I have talked to a number of our Councilmembers and I had the misfortune of speaking to one of the Mayor's hired hands, hired guns, and that was Mr. Havllar. I said, "Ben, I believe the paramedics should get their increase." It is not a matter of four percent difference, whether we're going to give four percent across the board. The paramedics were formed out of CETA money. Going through the corridors I said, "Mr. Hayllar, I think it's not correct; I think it's immoral." When the Mayor wanted to give his department heads equalizing salaries, he had no hesitancy in coming up with $10,000 equalizing pay. The Mayor had no problem in coming up with $10,000 to equalize his department heads' salaries. When he decided to run for Mayor, there were no taxes in '80. In '81 he raised taxes to an unprecedented 20 percent; there was no media event over that as there was about our salaries.

Here we have dedicated people. I don't want to speak for Sophie but I just told her that they took me to the hospital one time and I was very appreciative. She tells me her husband has been taken a number of times. They do such outstanding work. If you read about one of the paramedics, I don't even think it was our paramedic, trying to release somebody in a car, they almost cut his leg off; there were three hours and the paramedic was in danger of being burned alive. I said to Mr. Hayllar that I believe the Adminstration ought to pay paramedics on par with the Police and Fire and Mr. Havllar said, "Oh no, the Police and Firemen would go out on strike." Well, I've talked to the police officers and I don't think that's the truth. I can't speak for the firemen and their leadership; somebody would have to talk to them, I don't have the best relationship with Mr. Burns since he slammed the door in my face during the election time, even though I was a City Councilwoman, so, I don't speak with him. But I really feel that this Council has an obligation in light of all the calls that come into our offices from senior citizens saying, "Please. The paramedics are doing an outstanding job. Please see that they are back on line and we don't have substitute drivers and nobody to administer to the needs of the patient." I think whether it is a resolution or not, as a will of Council, a floor motion, I would like to go on record as a motion to say that I believe we go on record as supporting the paramedics. I'm going to do that. I'm doing it personally. You don't have to support me but that's how I feel.

The Chair, Pro tem:

Michelle, I don't believe that Council should take that role in negotiating contracts. I mean I understand how you feel and I believe a lot members of Council feel that they don't want them to go out on strike and give them whatever we can give them.

Michelle Madoff:

We're elected people, Ben.

The Chair, Pro tem:

We cannot negotiate contracts. Believe me.

Mr. O'Malley:

I might clarify something for Michelle Madoff since it is my Committee. The issue no longer centers around pay. If the paramedics would

accept the four percent pay raise, they would be on an equal plain with the police officers, maybe a few cents ahead of the police officers, at an hourly rate. They cannot be paid the same as the firefighters because the firefighters put in 42 hours a week where paramedics put in 40 hours a week. So, we're talking the difference between a firefighter's pay and a paramedic's yearly pay is 100 hours that the firefighters put in.

Michelle Madoff:

The hourly rate is the same.

Mr. O'Malley:

The hourly rate is the same. A number of things have been settled about their clothing allowance. There's only a few small differences of opinion that I feel will be resolved shortly. There again, since they are in negotiations, I don't think it would be appropriate for us to discuss them here.

Michelle Madoff:

I think it's appropriate as leaders of the community, when constituents call us to address a concern, to say where we stand on an issue. I want everybody to know where I stand; I am in full support of the paramedics. I don't care what anybody says.

Mr. O'Malley:

We all support the paramedics.

The Chair, Pro tem:

May I make the suggestion that since there are negotiations, we should drop discussion. Everyone made their point.

Michelle Madoff:

On another issue, last night at midnight, I got home and my answering service, I have a 24 hour service for constituents, picked up a call that in Broadhead Manor somebody was running around with an M-16 automatic weapon, or semi-automatic, they didn't know. Somebody got the license number. They fired shots at somebody's house. I understand the issue, we're leaving it to the plain clothes policemen because it's a broader issue than the people just involved. I mean, there may be some kind of vendetta between two families. I don't want to be involved, I don't want to know about it, I don't want them to know about me. But the thing that I am concerned about is that a police officer informed me, he said, "You wouldn't sleep nights if you knew how many automatic rifles and guns there were going around the City."

Controller Flaherty, when he was on Council, I believe did introduce a bill on controlling weapons. Is that correct?

Mrs. Masloff:

It was Councilman Robinson.

Michelle Madoff:

Mr. Robinson? I would like to ask you if you would reactivate that bill. When I hear from our police that we've got M-16 rifles within the hands of the wrong kind of people running around the street that obviously are not registered, I for one, would support the registering of weapons and doing something about it.

Mr. Robinson, I would urge you to reactivate that bill.

Mr. Robinson:

I appreciate your concern and

support. Certainly the bills that I suggested before, I believe were very responsible. I continue to do research in the whole area of gun control. I think it's a very important issue for the City and I certainly will keep you apprised of any legislative developments.

Michelle Madoff:

Incidentally, as they left yesterday, as a parting warning, they fired two shots into a home and there was a 13 year old and a 15 year old in the house. The woman was very upset to call me. We talked until 2:00 in the morning. The point that I'm making is that the weapons are the thing that I'm concerned about. I don't want to get into the issue because I'm not knowledgeable. Let the police do their own job.

The Chair, Pro tem:

Thank you.

Mrs. Masloff moved to excuse Mr. Givens for absence from the meeting.

Mr. Wagner seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Wagner**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, March 12, 1984 No. 11

Municipal Record

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, March 12, 1984

PRESENT:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

ABSENT:

Mr. Givens
Mr. Woods

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Grabowski for Mr. Givens presented

No. 398 Resolution vacating a portion of Maryland Avenue in the 7th Ward of the City from the southerly right-of-way property line of Port Authority of Allegheny County East Busway for a distance therefrom of 34.90 feet in a southerly direction.

Also,

No. 399 Resolution vacating a portion of Ridgway Street in the 6th Ward of the City from the southerly right-of-way property line of Port Authority of Allegheny County East Busway for a distance therefrom of 55.00 feet in a southerly direction.

Also,

No. 400 Resolution vacating a portion of Ruthven Street in the 6th Ward of the City from a point 380 ft. East of the easterly right-of-way line of Finland Street distance of 943.64 ft. in a easterly direction to the right-of-way property line of Port Authority of Allegheny County East Busway.

Also,

No. 401 Resolution vacating a portion of 33rd Street in the 6th Ward of the City from the southerly right-of-way property line of Port Authority of Allegheny County East Busway for a distance therefrom of 68.67 feet in a southerly direction.

Also,

No. 402 Resolution granting the Port Authority of Allegheny County, its successors and assigns the license and privilege to construct maintain and use a bridge structure over a portion of East Liberty Boulevard (Dahlem Street) 12th Ward.

Also,

No. 403 Resolution granting the Port Authority of Allegheny County, its successors and assigns the license and privilege to construct maintain and use a bridge structure over a portion of North Homewood Avenue, 13th Ward.

Also,

No. 404 Resolution granting the Port Authority of Allegheny County the license and privilege to construct maintain and use a certain portion of the East Busway roadway together with drainage facilities encroaching on and under a portion of South Graham Street, 7th Ward.

Also,

No. 405 Resolution granting the Port Authority of Allegheny County the license and privilege to construct maintain and use a certain portion of the East Busway roadway together with drainage facilities encroaching on and under a portion of South Aiken Avenue, 7th Ward.

Also,

No. 406 Resolution granting the Port Authority of Allegheny County the license and privilege to construct, maintain and use a certain wall structure encroaching on and under a portion of Brownell Street, 7th Ward.

Also,

No. 407 Resolution granting the Port Authority of Allegheny County the license and privilege to construct, maintain and use a portion of the East Busway roadway together with drainage facilities encroaching on and under a portion of Centre Avenue, 7th 8th Wards, City of Pittsburgh.

Also,

No. 408 Resolution granting the Port Authority of Allegheny County the license and privilege to construct, maintain and use a certain portion of the East Busway roadway together with drainage facilities encroaching on and under a portion of Baum Boulevard, 8th Ward.

Also,

No. 409 Resolution granting unto Walter Brahler, 1416 Beckham Street, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a driveway in a portion of a paper street, Strokes Way, in the 27th Ward of the City of Pittsburgh.

Also,

No. 410 Communication from James N. Walker, Director, Dept. of Environmental Services, requesting authorization for Merlin Watson and Elizabeth Lyons to attend the Animal Control Academy in Tuscaloosa, Alabama on April 2-13, 1984, at a cost not to exceed $3,200.00 chargeable to and payable from Code Account No. 1181, Misc. Services and Supplies, Department of Environmental Services.

Which were severally read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 411 Resolution providing for

the letting of a Contract or Contracts for the furnishing and delivery of play equipment for the Bureau of Maintenance, Dept. of Parks and Recreation, at a cost not to exceed $70,000.00 payable from Code Accounts PR 81-30, PR 82-21, and 83-19.

Which was read and referred to the Committee on General Services.

Mr. Grabowski:

On that bill, I think it would be more appropriate if, even though it is in the Department of General Services and coming out of my Committee, that Mrs. Masloff present the bills since it does deal with Parks and Recreation. A few weeks ago, there was a similar bill that dealt with revolvers for the Police Department and Councilman O'Malley presented that bill to my Committee. I think that's a more appropriate way to go.

The Chair:

Some of them may overlap but watch that, Mike, if you can.

Michelle Madoff presented

No. 412 Resolution transferring $16,000.00 from Code Account No. 1750, Chemicals, to Code Account No. 1709, Refunds and Interest, Water Rents, Dept. of Water. The amount appropriated in Code Account No. 1709, has been depleted and additional funds are needed to make refunds to water customers.

Which was read and referred to the Committee on Finance.

Michelle Madoff moved to suspend Rule 8 by providing consideration of a bill only until or after the 9th calendar day following the meeting in which the bill was introduced so it will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also,

No. 413 Resolution providing for the issuance of a warrant in the amount of $422.00 in favor of The Perkin-Elmer Corporation, Citibank NA WCGSM, Sort 2539, New York, New York 10043 in payment for repair of an Atomic Absorption Spectrophotometer furnished for the benefit of the City and providing for the payment thereof, chargeable to and payable from Code Account 1705, Repairs - Department of Water.

Which was read and referred to the Committee on Finance.

Also,

No. 414 Resolution requesting the Pennsylvania State Police to inspect City vehicles involved in accidents. — **(SPONSORED BY MICHELLE MADOFF)**

Which was read and referred to the Committee on General Services.

Mr. O'Malley presented

No. 415 Resolution providing for an Agreement or Agreements with Dick Corporation/Dick Enterprises to provide the services of off-duty police officers for security in connection with the reconstruction of the Parkway Central, and providing for reimbursement to the City of the costs thereof.

Which was read and referred to the Committee on Public Safety.

Mr. Robinson presented

No. 416 Resolution approving a

Conditional Use under Section 993.01(a)A-34 of the Pittsburgh Code, Title Nine, Zoning, for authorization to transfer development rights from the Stanley Theater Site and Heinz Hall Site to a receiving site having frontage on LIBERTY AVENUE; SEVENTH STREET and PENN AVENUE for the purpose of constructing two 32-story office buildings in the 2nd Ward.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Robinson moved to suspend Rule 8 by providing consideration of a bill only until or after the 9th calendar day following the meeting in which the bill was introduced so it will be on the agenda this Wednesday.

Michelle Madoff seconded the motion.

Which motion prevailed.

Also,

No. 417 Resolution approving a Conditional Use under Section 993.01(a)A-10 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, for occupancy of 108-110 MILTONBERGER STREET as an Institutional Facility for a Pre-Release Center operated by the Pennsylvania Bureau of Corrections for 24 convicted adult males, 1st Ward. (denied by the Planning Commission).

Also,

No. 418 Resolution amending Res. No. 1348 effective Dec. 31, 1982, entitled, "Resolution amending Res. No. 1147 effective Nov. 22, 1982, entitled, 'Amending Res. No. 1067, effective Oct. 29, 1981, entitled, 'Providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with the Administration of the Parkway Center Shopping Mall Urban Development Action Grant Project; and providing for the payment of the cost thereof,' to increase the funds provided from $4,626,000.00 to $9,126,000.00 and to provide for the transfer to said authority of any funds realized by the City from tap-in fees in connection with the Alpark Sewer' is hereby amended by correcting the project code number and decreasing the funds provided from $9,126,000.00 to $8,426,000.00" is hereby amended to increase the funds provided from $8,426,000.00 to $12,626,000.00.

Also,

No. 419 Resolution amending Res. No. 1133, approved 12/9/83, entitled, "A Resolution approving a Conditional Use under Section 933.01(a)A7 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 of the Public Parking Authority of the City of Pittsurgh, for authorization to construct a two-story 73 stall parking garage on proprty having 24.00 feet of frontage on the westerly side of MURRAY AVENUE and 77.47 feet of frontage on the northerly side of DARLINGTON ROAD, 14th Ward," by deleting Section 2. —**(SPONSORED BY MR. STONE)**

Also,

No. 420 Resolution providing for an Agreement or Agreements with the Bloomfield-Garfield Corporation for the implementation of a neighborhood-based residential real estate marketing office.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 421 Resolution providing for the issuance of a warrant in favor of Spiniello Limited, Inc., (Charles A. DiNardo, Vice President) P.O. Box 4282, Pgh., PA 15203, in the amount of $49,975.00 in payment for an Emergency Contract furnished for the benefit of the City in connection with the repair of a major break on 24" Rising Main and replacement of a 24" check value on Toboggan Street without previous authority of law; chargeable to and payable from Code Account No. WD-84-06, 4-05-15-0001-84, Waterline Relays in Various Locations. Prior approval granted by Council, dated January 27, 1984.

Also,

No. 422 Resolution providing for the issuance of a warrant in favor of R & R Mechanical (Ronald Fortunato, President) in the amount of $387.68, in payment for extra work in connection with No. 42 Fire Station, Chestnut Street, payable from Code Account LB 76-01, 4-25-01-1945-76, No. 42 Fire Station, Chestnut Street. Prior approval by Council Bill No. 4173, dated December 22, 1983.

Which were read and referred to the Committee on Finance.

Also,

No. 423 Resolution taking, appropriating and condemning, by the City of Pittsburgh for public highway purposes 15-foot of property known as Block and Lot 23-J-174 in the 25th Ward, City of Pittsburgh.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Wagner for Mr. Woods presented

No. 424 Resolution providing for an Agreement or Agreements with Volpe-Rogal, Inc., for professional services in connection with the Workers' Compensation Program for a period of two months, at a cost not to exceed $100,000.00 payable from Code Account No. 44, Workmens Compensation Fund, Dept. of Finance.

Which was read and referred to the Committee on Finance.

Mr. Wagner moved to suspend Rule 8 by providing consideration of a bill only until or after the 9th calendar day following the meeting in which the bill was introduced so it will be on the agenda this Wednesday.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Also,

No. 425 Resolution transferring the sum of Four Million, One Hundred Three Thousand, Twenty-five Dollars ($4,103,025.00) from the Unrestricted Cash Account, Department of Public Works, Capital Fund, to the Unrestricted Cash Account, Urban Redevelopment Authority, Capital Fund. This transfer is needed to cover the cost of the Parkway Center Ramps project of the Urban Redevelopment Authority.

Also,

No. 426 Resolution amending the 1982 Capital Budget to increase the authorization for the Parkway Center Highway Ramps project in the Urban Redevelopment Authority from $4,500,000.00 to $8,000,000.00 payable from Parkway Center Highway Ramps, HR 82-26, 4-45-1910-82. This increase is

needed to cover the project's estimated cost.

Which were read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 427

Report of the Committee on Finance for March 7, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 292

A Resolution entitled, "Resolution providing for the issuance of the following warrants: Lebies Plumbing Company, Inc. in the amount of $650.00, being in addition to the original contract price of $40,550.00 on Controller's No. 26261 and 26261F, and Thomas Didiano Construction in the amount of $17,099.00, being in addition to the original contract price of $522,461.75 on Controller's No. 26162F, in payment for Extra Work furnished for the benefit of the City in connection with the construction of No. 42 Fire Station, Chestnut Street; and providing for the payment thereof."

Which was read.

Also,

Bill No. 293

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Gulli Contracting Company in the amount of $2,265.00 in payment of Extra Work, being in addition to the original contract price of $24,510.00 on Controller's Contract No. 26479, furnished for the benefit of the City in connection with the Renovation Work at Mellon Park Service Building without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 298

A Resolution entitled, "Resolution authorizing the Mayor to issue and the City Controller to countersign a duplicate warrant to the same payee and in the same amount to replace the following warrant which was lost, stolen or inadvertently destroyed."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 299

A Resolution entitled, "Resolution providing for an Agreement or Agreements with an Educational Institution or Educational Institutions in connection with participating in a work-study program to help students integrate their educational program with work experience, and also providing clerical assistance to this Department; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 339

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Michael A. Della Vecchia, Recorder of Deeds, in the amount of One Thousand Two Hundred Thirty Four Dollars and Fifty Cents ($1,234.50), in payment for recording plans filed by the Public Utility Commission concerning the construction of the Bloomfield Bridge, without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Mr. Grabowski for Mr. Givens presented

Bill No. 428

Report of the Committee on Public Works for March 7, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 283

A Resolution entitled, "Resolution

providing for a Contract or Contracts, or the use of existing Contracts, for the rental and repair of equipment in connection with the City of Pittsburgh's Capital Construction Division; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 284

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for concrete repairs to City Steps and Walls, various locations; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 285

A Resolution entitled, "Resolution providing for a Contract or Contracts or the utilization of existing Contracts for construction of catch basins at various locations in the City of Pittsburgh, and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 286

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contracts for concrete slab replacement at various locations within the City of Pittsburgh, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 287

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Vincent H. Ellsworth, a Technical Services Consultant, for Engineering Services in connection with an Electrical Services Contract, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 312

A Resolution entitled, "Resolution providing for a long term agreement by and among the Allegheny County Sanitary Authority, South Fayette Township and the Municipal Authority of the Township of South Fayette, to enlarge the Project Z service area

serviced by the Allegheny County Sanitary Authority by providing for sewage service for the service area of South Fayette Township including certain residences located in Cecil Township, Washington County, Pennsylvania, upon certain terms and conditions."

Which was read.

Mr. Grabowski:

Since Mr. Givens isn't here, I'd perhaps a little clarification on the last bill, Bill 312 and perhaps Councilman O'Malley would be able to enlighten me since he sits on the Allegheny County Sanitary Authority Board.

The Chair:

It's one of those cooperative agreements as I recall. In order to get the additional line on, everybody has to consent to it.

Mr. Grabowski:

Part of this service is going to be for residents of Washington County, Cecil Township. Now, when we go beyond county lines, is there a charge that perhaps is greater than that charged those who live in Allegheny County?

Mr. O'Malley:

We want that all new customers over 1979 that tap into Alcosan are charged a higher rate than the older customers that have funded the system for the past 20 years. So, there's a slight increase.

Mr. Grabowski:

It doesn't matter whether they reside in the county or outside the county?

Mr. O'Malley:

No.

The Chair:

Steve, I think the reason for that is much like a water shed. You can't cut the slant out, in half; it all has to go in because if you don't, the top still comes down into you. So, they just take whatever's in that particular flow.

Mr. Grabowski:

I realize that but I have a little bit of a concern in that I'm sure there are certain portions of Allegheny County that are not being services by the Allegheny County Sanitary Authority and here we are going outside the county to permit non-county residents the use of our facilities.

Mr. O'Malley:

Steve, that's not necessarily true. Any municipality that wants to tap into Alcosan, we accommodate them. What happens is, many of the small municipalities like Hampton Township, have their own facilities. Many of them are at full capacity now and the stagnation in their area that cannot have any new industry come in because they can't accommodate any more sewage. So then, at that time, they usually request to tap into Alcosan for the issue permits.

Mr. Grabowski:

It was my understanding there were certain municipalities and certain sections of the county that would love to get on the system but, for whatever reasons, Alcosan won't let them.

Mr. O'Malley:

Not that I'm aware of. You can

have them contact me to see what I can do to help them. I don't know about Cecil. Maybe it is what Mr. Stone says; I'll check into it.

If you look at a map of Allegheny County, we have a lot of valleys and cuts and grooves and sometimes we bring in outside of Allegheny County to get through to another part of Allegheny County instead of building the pipelines all the way around. It's easier to go through another small portion of a county that's half into Allegheny County instead of building —

The Chair:

Yes, you're right.

Mr. O'Malley:

I'm not so sure that's here for Cecil but we're doing that to allow us out in Hampton Township; we're going through Millvale and other areas inside the county but are not part of Alcosan now.

Mr. Grabowski:

Is there a great need for this bill to be passed today?

Mr. O'Malley:

I would image if some of these are at capacity and some of their industries are stagnated —

The Chair:

Mr. Grabowski, I would suggest we pass it but, still, if you need additional information, do it. We have everyone on that group — How many of them are there, ten or eleven?

Mr. O'Malley:

There South Fayette on there.

The Chair:

No, the Cooperative Agreement has to be signed by more than them.

Mr. O'Malley:

This also has to be proved by Alcosan's board. So, if we pass it here and you're not satisfied, we can discuss it at Alcosan's board meeting too.

Mr. Grabowski:

I would like to ask that it be held a week, that we recommit it.

Michelle Madoff seconded the motion.

Which motion prevailed.

Michelle Madoff:

I have a reason; may I be recognized? While we're looking into the bill, I'd like something looked into.

Councilman O'Malley, the thing that I'm very concerned with, having worked with the Alcosan problems since '69, is capacity. We asked the question at the Wednesday meeting and we were told that it's a different part of the system. You know, that's not where we have a shortage of capacity. I don't believe that and I want that proven to me.

Alcosan has a limited capacity with basic oxygen demand and with it's cement lines you can't stretch lines. We ran into that problem in Greentree with the Kossman Development and also having some housing development in that same area. We put in, which was my bill, a parallel sewer line. We did not have a

capacity problem or relieve some of the overflow problems which had to do with Saw Mill Run, incidentally. There was some overlapping and bringing up the water level.

But I just want to know whether we're accommodating some people who are in business or whether we indeed have the capacity. Tom Foerster since early '70's was trying to get Alcosan Two and Alcosan Three because the capacity was exhausted. I didn't find the answer palatable. It was just, "Yeah, we have no problem; we have capacity there." I'd like to check that further.

Mr. O'Malley:

Alcosan is only running at 50-55 percent. The plant is only running at 50-55 percent capacity. With that capacity is mainly the pipelines that feed into Alcosan.

Michelle Madoff:

But Alcosan is responsible for the lines that feed into it. What I need to know is, are you going to expand the lines? Are you going to put some new lines in? What's Alcosan going to do?

The Chair:

Wait a minute; we're going to get too far here. It's recommitted so let's pick it up on Wednesday, okay?

Michelle Madoff:

Fine, but I'd like an answer to that.

Mr. Wagner:

Mr. President, may I make a comment in reference to that? I just wanted to request that we did request at the Mayor's Conference Meeting a week and a half ago that we be provided with information pertaining to the rate differences between Allegheny County and Washington County. That has not yet been provided.

The Chair:

Acquire the rate differences for us, Mike, for Wednesday.

Mr. Wagner:

It was mentioned by Mr. Gaetano at that time that we do have the capacity within Alcosan to accommodate that plus any communities within Allegheny County which may tap into the system in the future.

Mr. Wagner presented

Bill No. 429

Report of the Committee on Engineering and Construction for March 7, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 294

A Resolution entitled, "Resolution providing for a contract or contracts, or the use of existing contracts, for repairs at various park facilities; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 295

A Resolution entitled, "Resolution

amending Resolution No. 117, approved February 21, 1983, entitled, 'Providing for a Contract or Contracts for Wall Reconstruction on Angle Street from Advent Street to Corfu Street, including necessary work on private property and other work incidental thereto; and providing for the payment of the cost thereof,' by increasing the project allocation by Five Thousand ($5,000.00) Dollars."

Which was read.

Also,

Bill No. 296

A Resolution entitled, "Resolution further amending Resolution No. 279, approved March 19, 1981, effective March 26, 1981, as amended by Resolution No. 388, approved April 22, 1981, effective May 1, 1981, entitled, 'Providing for a Contract or Contracts for the Reconstruction of Streets, Lighting and Waterline for various areas of Pittsburgh's North Side in connection with the UDAG Program', by reducing the total project allocation by $3,711.50."

Which was read.

Also,

Bill No. 297

A Resolution entitled, "Resolution further amending Resolution No. 474, approved June 21, 1976, effective July 2, 1976, as amended, entitled, 'Authorizing the Urban Redevelopment Authority of Pittsburgh to act as the agent of the City of Pittsburgh in matters of property acquisition and relocation required for street rights-of-way which are federally assisted,' by increasing the total allocation by One Million Five Hundred Thousand ($1,500,000.00) Dollars." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Wagner:

I'd like to amend Bill No. 297. Section 1 presently reads, "Section 3 of Resolution No. 474, approved June 21, 1976, effective July 2, 1976, as amended," should read, "Section 1 of Resolution No. 621, approved June 14, 1982".

Michelle Madoff seconded the motion.

Which motion prevailed.

Also,

Bill No. 338

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the purchase of task lighting equipment for the Finance Department; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. O'Malley:

I want to make one short statement because I was cut off, in regard to Michelle and Steve Grabowski and the information they requested.

In Michelle's, the plant is not at capacity but many of the feeder lines are at capacity. You just don't build a whole new pipeline from Penn Hills all the way into Alcosan.

In regards to Steve, he's right. There are a couple municipalities that are requesting to become part of Alcosan that we don't have room for right now. The reason being is that when Alcosan was incorporated, I believe in 1955, all municipalities in Allegheny County were contacted and given the opportunity to become part of the system. At that time, many of them turned the opportunity down believing it would be more economically feasible to have their own plants. Since that time they've changed their mind and want to tap into the Alcosan plant. But there again, the feeder lines are at full capacity. One of the problems we're having is O'Hara Township, Penn Hills, that line that runs down from Penn Hills, across the river, down O'Hara Township, Blawnox, Aspinwall, into Highland Park, is completely full. We had to get a special permit to have the Waterworks Shopping Center, a special temporary permit.

So, if some of our own counties and municipalities can't tap in, it's because the lines are at capacity. We're working on putting new lines in all over Allegheny County, Steve, but if you have a specific municipality you let me know and I'll check on it for you.

Mr. Grabowski:

So, what you're saying is that the feeder line from Washington County or that general area is not to capacity and it would be able to accept the sewage from Cecil Township.

Mr. O'Malley:

Right, but the feeder line from O'Hara Township and Penn Hills is running 100 percent capacity. We're looking at building another line on the other side of the river all the way from Penn Hills into the Highland Park Bridge.

The Chair:

Or to accommodate the Allegheny County people, you either provide the pipelines for that in that so called sewage shed, if I can use a loose term, or else it's going to come overground into that system at the same time.

Mr. O'Malley:

Let me know what townships you're concerned about and I will look in to find out why they weren't accepted, if indeed they're not accepted.

Mr. Grabowski:

No, your explanation was satisfactory.

Mr. O'Malley:

If you want to hold the bill, I could have Mr. Creehan to come in Wednesday and address any other questions that I might not be able to address.

Michelle Madoff:

On the same subject, I would like the total gallons of effluent, the additional total gallons of effluent, if you would providing me with that, and I would also think that we ought to be briefed - I've asked for this for five and a half years - that Mr. Creehan come to Council and brief us with a map, very simply, where we are at capacity, where we can expand capacity. For example, the effluent that Councilman O'Malley is referring to is the sludge from our own water treatment plant which we did on a one year experiment to see if they could indeed handle it. I don't even know the end result of that because they were going to take it, then they weren't going to take it, then they were taking it again. I think we ought to be briefed on that.

Mr. O'Malley:

Let's do this, Michelle. Why don't you write up a list of questions that you have, give it to Mr. Perry, and we'll recommend a post agenda.

Michelle Madoff:

I prefer to ask my questions at the post agenda. Would you just schedule it?

Mr. O'Malley:

Yes, but I'd like to request what you want to know so they can bring the appropriate maps in.

Michelle Madoff:

Okay. I just want to be briefed on what the capacity is, period. What they can do in what areas. That's not very complicated because my understanding was they could not take anything, the lines could not be stretched, and that is why the Saw Mill Run problem could not be dealt with Alcosan. They just could not expand or put in any other feeder lines. Meanwhile, they are in the black, are they not? And they could be putting in all their feeder lines if it were possible. Then why weren't they putting it in at the Saw Mill Run area?

Let's just have a post agenda and have the people here who know all the answers and we'll ask the questions then.

Mr. O'Malley:

Do we have anything else on for Wednesday, Mike?

Mr. Perry:

This coming Wednesday?

Mr. O'Malley:

Yes.

Mr. Perry:

We have the appointments.

Mr. O'Malley:

We should just have this by itself. How about the following Wednesday?

The Chair:

Set it up but then make sure you freeze out everything else, Mike, because it's going to take time.

Mr. Robinson:

Mr. President, I'd just like to report to Council on the activities to date of the task force on investment policies and business practices. We did meet on the eighth of March; all the task force members were present. There is a copy of the transcript which I will

forward to the President with a short written report. Any other members of Council who would like to have copies of the transcript may have it. We plan to have a transcript from each meeting available for your perusal.

One of the things that we came to agreement on, and I just want to touch on this very briefly, is that after we set our agenda, which will be outlined for you in the written document that I sent to you, it was agreed by the task force members that Council Bill 302, which is now in Committee, specifically speaks to the issue of having a hearing. We felt that that hearing should be set subsequent to our next meeting which is scheduled for March 23, 1984, at 9:30 a.m., here in Council Chambers. We are suggesting the following dates for that hearing: March 27, March 29, April 3 or April 5. We would hope that the President of Council who is Chairman of the Hearings Committee would move expeditiously to set the hearing.

The Chair:

Submit those dates to us so Mike and I can work it out.

Michelle Madoff:

What are the days of the week, Bill?

Mr. Robinson:

March 27 which is a Tuesday, March 29 which is a Thursday, April 3 which is a Tuesday and April 5 which is a Thursday.

Michelle Madoff:

Try to do Tuesday, please.

Mr. Robinson:

On one other matter, if I might, Mr. President. I'd just like to read for the record a copy of a letter that I forwarded to Mrs. Constance Wellons who is the Chairperson of the Pittsburgh Commission on Human Relations. This is dated March 12, 1984.

"Dear Mrs. Wellons:

Last week the Pittsburgh Press printed two articles, Sunday, March 4th and Monday, March 5th, relative to the City of Pittsburgh's employment patterns for black white collar workers in municipal government.

The article is written by Press reporter Jerry Byrd and left the definite impression that not only didn't the City, the Mayor and the Director of Personnel, know the status of our minority and female employees but our City lagged behind other major metropolitan areas in developing opportunities for women and blacks to hold decision-making positions.

I believe that much of the misunderstandings about our City policies and practices can be traced to the somewhat passive role of the Human Relations Commission, the passive role that is played in actively working towards parity in the workplace in the City of Pittsburgh and its authorities.

Section 653.03, Powers and Duties of the Human Relations Commission, in the City Code, clearly identifies a positive role for the Commission in this regard. If Council is to continue to support the allocation of tax dollars for the workers' commission, it seems reasonable to expect assistance in advancing the concepts of minority business development and parity in the workplace. I do not believe we in the City of Pittsburgh should be placed in

the position to have our Human Relations Commission operating in a fashion equivalent to that of the presently constructed United States Civil Rights Commission. The mandate of our Commission is clear.

I do hope your fellow commissioners and your legal counsel will review Sections F, G, and H, of Chapter 653, Human Relations Commission, 653.05, Powers and Duties, to determine what role you can actively play in identifying and bringing to resolution the problems of this City.

Your cooperation will be deeply appreciated."

I sent a copy of this letter also to Mr. Gabriel who is the Executive Director of our Human Relations Commission.

The Chair:

Okay.

Michelle Madoff:

Councilman Robinson, I will yield to you because I requested of Mike Perry today that he set a post agenda, I think, for Wednesday to have Melanie Smith, and I would certainly hope you would include the other people to whom you sent the letter, to bring us up to date since they're so unclear and since what I read in the paper is gobbledegook and the information they supplied to the papers saying, "Well, what we really meant was and what really is, isn't", to tell us specifically how many decision making minorities, blacks and women, there are in the City. I'd like to know exactly how many there are.

Now, if you prefer to postpone that and do it in another manner, I would defer to your decision. If you wish to continue with the post agenda on Wednesday, that's fine with me. What is your wish?

Mr. Robinson:

I plan to raise this issue at the Human Relations Commission meeting on Wednesday. I do believe that the Human Relations Commission is charged in our City Charter as well as in our City Code would addressing the issues that now have spilled over into three articles. There was another article written subsequent to the first two by the same reporter. I think that certainly the Human Relations Commission should be asked to meet its responsibilities and I think it is appropriate for this Council to do that. However, if members of Council would like to hear from Miss Smith or the Mayor, both of whom responded on behalf of the City, I think the appropriate place to do that is right here in Council Chambers.

The Chair:

I think the question to Bill is whether or not we do it Wednesday or after you've been to the Human Relations Commission. I think that's her question, frankly.

Michelle Madoff:

He's saying it doesn't matter.

The Chair:

It might. Let me find out.

Mr. Robinson:

My concern only is that we use the appropriate form. My letter to Mrs. Wellons and my appearance before the Human Relations Commission relate to what I understand their mandate to be. If they are the appropriate agend of City

government to address the concerns in the three newspaper articles, and I was a little bit distressed that no one from the Human Relations Commission was asked to comment. I think both the Mayor and Melanie Smith were put in a position that they were discussing something that I don't think they fully understand and those people who work in that area 24 hours a day have been excluded, at least on three occasions that I'm aware of. I don't think that speaks well for the City.

The Chair:

Let me go back. I understand your point but the next one is, was it not you who asked for the post on this matter.

Mr. Robinson:

Mrs. Madoff asked for it.

The Chair:

Okay. Let me just get this much straight so we don't have a problem. Is it your desire to go ahead on Wednesday?

Michelle Madoff:

Providing Councilman Robinson concurs. That's what I wanted to address.

Mr. Roibnson:

I have no objections.

The Chair:

No objections to what? Having it or not having it?

Mr. Robinson:

I have no objections to her continuing on Wednesday.

Michelle Madoff:

The reason I pointed, out, Councilman Robinson, you're to be commended. For five years, you tried to get information, since I've been on this Council, on the percentages of people doing business with the City and we were told they were striving for 15 percent. We never got that information until you actually pushed it to its limit. Then we found out it was less than one-half of one percent. While you are pursuing it through the Human Relations Commission, I would ask also that they be present. I think it's important that the liability or the responsibility of the Administration be here not to drag it out for another five years in getting the answers.

Mr. Robinson:

Mr. President, if I might. In that same regard, I'd just like to read a letter that I also sent to the Pittsburgh Press which adds, perhaps, a little more illumination to this subject. This is sent to the Editor.

"Dear Sir or Madam:

I want to thank you and the Pittsburgh Press for the responsible manner in which you have covered the issue of black administrators in the government of the City of Pittsburgh. The facts and figures in dispute are exemplary of a much larger situation that relates to our City's committment to provide employment opportunities and career options to all segments of the population.

I would hope that the reporter, Jerry Byrd, who wrote three excellent articles on this subject, will proceed to identify what the City's policy is in regard to employment opportunity for women and blacks and what

implementing mechanisms have been utilized.

Our City is developing a new national reputation as some place special. That reputation, I believe, should provide for us affirmatively working through Council, the Administration, and the Pittsburgh Commission on Human Relations to explore career development opportunities and an honest, credible, evaluative process to determine what we have and have not accomplished.

One means to more adequately address the situation is to draw upon the expertise of the National Association of Black Administrators who will conduct their annual meeting in Atlanta, Georgia this April.

Our Pittsburgh Commission on Human Relations is charged through our City Charter and City Code with taking the lead in the arena of affirmative action and equal opportunity."

Michelle Madoff:

I would like to yield to you, Councilman Robinson, if you would like to chair the meeting on Wednesday. I think you're, perhaps, more knowledgeable, right on top. Are you willing to do that?

Mr. Robinson:

I will be available for the meeting but I think it would be more appropriate for whatever mechanism we have to go forth.

Michelle Madoff:

The mechanism has been that whoever calls the post agenda chairs it. Therefore, I'm asking if you would like to do it.

The Chair:

No, that has not been the process. They don't chair. What they do is lead the questions because they called the person. The gavel still stays with the person who sits in that seat.

Michelle Madoff:

Alright.

On another item, Mr. Stone. When we pay our four percent wage tax to the City of Pittsburgh which encompasses both school and City, do we pay the school tax to the City of Pittsburgh and they in turn pay the Board of Education?

The Chair:

You mean after we collect the total, do we deduct something they owe us?

Michelle Madoff:

No, no. Let me rephrase that. On your salary for the year, our salaries which is public information, $32,500, we are assessed, like everybody else is in the City, four percent. Is that correct? It's gone up to four percent.

The Chair:

It's not up to four in my knowledge.

Mr. Grabowski:

Three point six something.

Michelle Madoff:

With school tax?

The Chair:

We didn't get to the four yet. That's the point I'm making.

Michelle Madoff:

I thought with school tax it was at four now.

The Chair:

Steve is closer. It's three something. I forget exactly.

Michelle Madoff:

When that three point six, which is paid to the City, do we pay a separate check — You see, I don't pay mine; my accountant pays it. Is it paid to the school separately and to the City separately, or in one lump sum to the City?

The Chair:

Michelle, I don't do my own tax to be honest with you. I'm not sure. But I would think that if it's collected by the City their part comes out of it and if not, it's divided —

Michelle Madoff:

You're sure of that? I'm not sure; that's why I'm asking.

The Chair:

That's the reason I was not venturing in it.

Michelle Madoff:

Let me tell you why I'm asking the question. My accountant filed for a rebate on my City tax last year. I'm not pressed for money but there are a lot of people out there right not unemployed who probably are pressed who paid it. My accountant assumed it was $161; it seems that there are no deductions allowed. They changed the figure to $38.59 and I'm not contesting it, it's irrelevant really. We paid the tax last year and we're due to pay it again this year. One year ago.

I got my check from the City for $22.62 of the $38.59. It says earned income, City share. I'm just curious about people who are hard pressed out there who paid it to one entity but now waiting for two entities to reimburse them. I'm not sure of that and I thought, perhaps, as Finance Chairman you might know that.

The Chair:

That mechanic I'm not familiar with.

Michelle Madoff:

Could we check that out? I think it might be important to see that if they take it all, they pay it all and that we don't take a year to —

The Chair:

I would suggest you call Mr. Schmeiser and he'll give it to you in a minute.

Michelle Madoff:

Calling Mr. Schmeiser, it's been a year since I got my refund. I'd like to know how many other people waited a year.

The Chair:

Since his office handles that, it might be wise to tip him off so if there's other errors —

Michelle Madoff:

Oh, I've tipped him off several times. I'd like to trip him.

The Chair:

Okay.

Michelle Madoff:

On another matter. I have raised the issue of interim approvals; there are three that I am distressed about, two that I am particularly distressed about.

One was February 29 to pay for damage by a refuse truck doing approximately $10,500 damage to a heating air unit, heating unit, down at, I presume, at the City garage. A mechanical contractor for extra work in conection with the new heating system presently being installed. It is not the first time anybody parked there to know that if indeed, as I was told, it was a heating unit over the garage door and it's for $10,500.

I think the public has the right to know. I don't like these interim approvals, these little quickie things. My name is not on it. No one asked me to sign it; I would not have signed it. Well, I think I was asked and did not. I don't like that kind of shenanigans.

There's another one here. This one is on the hiring of an auditor to audit the financial statement of the City or City pensions, an audit which will include the City pension, and it goes on to close, "This date is critical; we have to have it by April 30 so we can proceed with the bond issue." We never get asked anything until it's critical so we have interim approval. Again, I didn't sign it and I noticed I wasn't even asked to sign it. March 9. I don't sign these interim approvals. I don't want to see that many interim approvals and I find these two very distressing to me.

The Chair:

They still have to come back for us to approve, Michelle.

Michelle Madoff:

Well, but they get slid through and nobody really knows; they're not discussed in any kind of detail. It's right back to the same old business which brings me to why I brought them up.

Some time ago I did some research for this Council and there is a brief that was prepared to go to court when we had a 4-5 vote to get a fiscal advisor for Council. We moved, as you know, on the bond issue, the water authority to have somebody come in sort of at the last minute to give us some information.

I reported to this Council that in Baltimore, Maryland, the set up that they have in their budget office is a fiscal analyst. Then they have people like Mr. Buckley, Mr. D'Alessandro, etc., who work for the fiscal analyst. They do the analysis for the Council Finance Chairman. When a major issue comes up, like a water authority, they do go out into the private sector and hire a consultant.

This is exactly what the Administration does. However, we are asked to always accept what we're being told by the Administration, that their information is the only information. There's sometimes more than one way to do or to carry out an obligation. For example, in the water authority, we voted for the water authority 5-4; four of us voted against it feeling it should be kept here in Council. The information that we got from the consultant to

Council differed from the Administration's consultants to the point where when confronted, the underwriters did not know that their own firm had issued zero coupon bonds that very morning in a greater amount than they said could be done.

I think it is imperative that this Council not look for fiscal ongoing analysis when there is a pressing issue but do it on a day to day basis because the budget ends up at the end of the year in a hassle the day after the election and we have only a certain couple of days in which to vote because we have deadlines to meet. I think we ought to seriously consider taking the route of revamping our budgetary office to have a fiscal analyst hired. Think about that very, very seriously. I think it would help our Finance Chairman, I've mentioned it to him but I didn't know he wasn't going to be here today. But I think it's something we ought to be rethinking. The vote has been finally 4-5 and I think it's time, Mike, that I introduce my resolution for the third time, fiscal advisor, only this time I'd like to change it to a fiscal analyst similar to that that is being performed in other cities the size of Pittsburgh, particularly in Baltimore. That would be the system that I would like to see emulated. I would like to have our Finance Chairman, Mr. Woods, go to Baltimore if he would, take a look at the system, meet with the person who does it. Incidentally, they hired her from an ad in the New York Times through the pressure or instigation of what is there, the equivalent of the Allegheny Conference, chaired by the hospital, whose name I never remember, in Baltimore.

The Chair:

Hopkins.

Michelle Madoff:

John Hopkins Hospital. Thank you, Mr. President. The president of John Hopkins felt there should be separation of powers and there should not be a conflict of interest and that indeed their City Council should have their own fiscal analyst and not be relying on what the Administration and their Mayor tells them. Their Mayor didn't like it any more than our Mayor is going to like it. We cannot vote in a vacuum. When the Mayor called us in to the Judge's Chambers on the Stadium — I like the judge, I helped him get elected; he's not going to lie to me. But I don't know that.

I would like to have a fiscal analyst and when I asked Mr. Buckley and the other members of our budgetary office if they are fiscal analyst or fiscal advisor, they say no, that it's not their expertise or training. I have a feeling they would welcome that kind of input.

The Chair:

Okay.

Mr. Wagner:

In regards to Councilwoman Madoff's earlier comment. Employers do make one check out to the Treasurer of the City of Pittsburgh in regard to wage taxes.

Michelle Madoff:

Thank you. I thought so.

Mr. Wagner:

That includes the 1.8 or 1.9 percent for school and the remaining for the City of Pittsburgh.

In regard to the interim approval,

the Administration has been meeting to make a further recommendation on that procedure to Council. We anticpate that within the next week or two, I hope.

One other point that I would like to bring up that has recently been brought to my attention —

Michelle Madoff:

Can we deal with the two you just brought up? I'd like to respond.

On the tax that's paid in one lump sum, don't you think people should be paid back in one lump sum instead of having to wait for two checks?

The Chair:

That's what I was trying to say to you earlier. If you collect the total money, you then distribute to them and they do their own bookkeeping. All you're doing is paying one source and it's divided.

Then you asked the other thing. The question was whether or not we could make some deductions, as I recall. I would say no because you'd totally upset that whole balance at that point.

Michelle Madoff:

Mr. Stone, there is always a running tab on monies we will owe the school authority. You just deduct it from the amount you have to pay them that year if you have a rebate. If we take it collectively, we should pay it back collectively. I don't think people who are really pressed for funds should be put to that kind of effort. In my instance it's not pertinent but it just brought an issue to light that may affect some people who are hurting financially.

Mr. Wagner:

My initial thought to that would be that to pay it back collectively would be more costly to the City and probably taking it collectively is more costly to the City.

Michelle Madoff:

If they take it collectively they ought to pay it back collectively. It's only a bookkeeping procedure where you deduct everything you pay back in a total and take it off what you still owe them. It's the Board of Education. It's just a bookkeeping thing; a very simple bookkeeping thing.

The Chair:

I think everyone has made their position known.

Mr. Wagner:

My last comment. I believe that all checks paid to City employees are handed out openly within the City. At least that has been brought to my attention recently. I think there should be some degree of privacy with a check, a person's wages.

The Chair:

Is that before or after we read it in the budget book?

Mr. Wagner:

Well, for the elected officials, the public knows our salaries.

The Chair:

We know the salary of every employee in the City of Pittsburgh.

Mr. Wagner:

That's true. But I don't think it's good that checks should be handed out openly. I think there should be some degree of privacy as exists in all corporations in this country with the employees that work within the City.

I would like to make a motion that we suggest as a Council, as a group, to the Finance Department in the City the consideration of putting those checks in envelopes prior to being handed out.

Mr. Robinson seconded the motion.

Which motion prevailed.

The Chair:

You're suggesting they look into it?

Mr. Wagner:

Yes. Investigate the possibility.

Michelle Madoff moved to excuse Mr. Givens and Mr. Woods for absence from the meeting.

Mr. Robinson seconded the motion.

Which motion prevailed.

Michelle Madoff moved to approve the minutes from Monday, February 27, 1984.

Mr. O'Malley seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, March 19, 1984 No. 12

Municipal Record

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, March 19, 1984

PRESENT:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

ABSENT:

Mr. Givens

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Michelle Madoff:

I wonder if Mr. Pat McNamara would please step forward. I know he's here somewhere; he's so short I couldn't find him.

I want you to know that Pat wasn't very happy about this; he said he was shy and he'd be embarrassed and we said you're going to have to learn to suffer like the rest of us.

I think some of his friends are coming up to join us. I'm going to read the resolution and then I'll let Pat introduce everybody that's with us.

Michelle Madoff presents

Bill No. 466 WHEREAS, on March 15, 1984, Lieutenant Patrick McNamara was installed for an unprecendeted fourth term as President of the Fraternal Order of Police, Fort Pitt Lodge No. 1; and

WHEREAS, Lt. McNamara began his career as a Police Officer in 1966, and later, while working as a Police Officer and attending college, became actively involved with the Fraternal Order of Police; and

WHEREAS, through his diligence and hard work, Lt. McNamara was first elected President of the Fraternal Order of Police in 1978, and in 1979 was promoted to the rank of Lieutenant; and

WHEREAS, under his leadership as President of the F.O.P., Police Officers

in the City of Pittsburgh have received substantial (and well-deserved) increases in salary, health benefits, longevity pay, and pension benefits, thus helping to better the morale of the Pittsburgh Police Force; and

WHEREAS, Lt. McNamara's concern for social and moral justice has enriched the lives of many, and has earned him the honor of being named 1980 Man of the Year for Labor by the Pittsburgh Jaycees.

NOW, THEREFORE,

BE IT RESOLVED, that the Members of Pittsburgh City Council hereby congratulate Lieutenant Patrick McNamara on his election to an unprecendeted fourth term as President of the Fraternal Order of Police, Fort Pitt Lodge No. 1, and commend him on his many years of outstanding service to the betterment of the Pittsburgh Police Force and to the citizens of Pittsburgh.

Michelle Madoff moved to adopt the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

Michelle Madoff:

Before I turn the mike over to Pat, I do want to add just a personal note. Any time there's been a problem, you can always go to Pat McNamara; he really cares about the people before he cares about his political liaisons. I think he's really to be commended; I find him to be one of the most honorable people I have ever met. I would hope that in his next term he will work to do something about getting more police for the City of Pittsburgh. One hundred and five police below minimum security. I went back with my aide and we were reading your notes before I got to Council, and Mr. DePasquale's notes, talking and screaming that we need more police officers. Well, we've all been saying that and we don't have them. We are having some problems, as you know, with garages and my garage bill is going to be amended somewhat and we're going to address that and I would hope the police would give us some good ideas. Pat, I can always count on you.

Thank you. It's an honor to have you as my friend.

Lieutenant McNamara:

I'd just like to take a few minutes to thank everybody for honoring me here today. I'm a little backwards when it comes to things like this but there's some fine people who have been behind me these six years and I think everybody recognizes that we have a citizen who works in our F.O.P. office who has been with us for years. She is the F.O.P. Mrs. Tilly Frank, the Secretary of the F.O.P. I think my first Vice President, Harry Miller, who was also just elected with me, he's been with me since I've been in the Fraternal Order of Police; my second Vice President, Gabe Cocheres, and Mr. Dick Kearns who is connected with the F.O.P. and also the Veterans Police, representing their organization here today.

I want to say to all the members of Council, I thank you for this honor; I know what you go through because I know what I've gone through, especially this weekend when we recognized two police officers being attacket off duty and a shooting early this morning in a burglary out in the Negley Avenue area. It keeps you going twenty-four hours a day and something like this keeps you going. I appreciate it very much.

Thank you all.

The Chair:

Pat, I'm sure I speak for all members of Council in the sense that having gone through your now fourth term and being re-elected, I think that is because of your service these past four terms and that is indicative of the high regard your membership has for you and the high regard we, likewise, have for you.

Good luck and continue the good work.

Mr. Grabowski for Mr. Givens presented

No. 430 Resolution amending Res. No. 30, appr. January 30, 1984, eff. February 9, 1984, entitled "Resolution providing for the letting of a Contract or Contracts, or to use existing Contracts for the purchase and delivery of various water pumps and salt spreading equipment for the Dept. of Public Works and providing for the payment thereof," by including provisions for the purchase of minor equipment, jackhammers, power drills, asphalt tampers, steam jenny's, and asphalt vibratory plates, at a cost not to exceed $50,000.00 chargeable to and payable from Code Account No. 1612-2, Equipment, Bureau of Operations, Dept. of Public Works.

Also,

No. 431 Communication from Louis R. Gaetano, Director, Dept. of Public Works, requesting authorization for Lawrence E. Staab and James Lenkner to attend the International Television Association's 16th Annual Conference in Las Vegas, Nevada, May 1-5, 1984, at a cost not to exceed $1,975.00 payable from Code Acount CCTF (Community Communications Trust Fund), Dept. of Public Works, Bureau of Cable Communications. The purpose of the conference will be to attend seminars and workshops on Management, Basic Production, Advanced Production, Planning Applications, Production Engineers, and General Electives, all of which are pertinent to the City's involvement with cable communications.

Which were read and referred to the Committee on Public Works.

Michelle Madoff presented

No. 432 Resolution that City Council hire a Fiscal Analyst to serve Council as advisor in matters relative to bonds, notes, and other financial concerns relative to the operation of City government. **—(SPONSORED BY MICHELLE MADOFF)**

Also,

No. 433 Resolution transferring the sum of $1,100,000.00 from the Water Fund to the General Fund of the City of Pittsburgh, Dept. of Water due to the termination of the Water Fund and the establishment of the Water and Sewer Authority, effective May 1, 1984.

Which were read and referred to the Committee on Finance.

Mrs. Masloff presented

No. 434 Resolution authorizing the issuance of a warrant in favor of the City of Pittsburgh's Equipment Leasing Authority in the amount of $50,000.00 as reimbursement for the purchase of four vehicles for the Dept. of Parks and Recreation's Senior Citizens Program chargeable to and payable from Senior Citizens Program Trust Fund (SCPTF-254250), Dept. of Parks and Recreation.

Which was read and referred to the Committee on Finance.

Also,

No. 435 Resolution providing for an Agreement or Agreements with an independent contractor to provide professional services in connection with the Dept. of Parks and Recreation's recreational programs for the residents of the City of Pittsburgh, at a cost not to exceed $4,760.00 chargeable to and payable from Code Account Special Parks Programs Trust Fund (SPPTF-254359), Dept. of Parks and Recreation.

Also,

No. 436 Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting authorization for Judith Reese to attend a Medic First Aid Planning Seminar sponsored by the Emergency Medical Planning, Inc. of Eugene, Oregon, in New Haven, Connecticut, from March 27-29, 1984, at a cost not to exceed $1,000.00 payable from Code Account No. 1801, Index Code 180109, Misc. Services. Prior approval granted by Council.

Which were read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 437 Resolution providing for the letting of a Contract or Contracts or the use of existing Contracts for the furnishing and delivery of Wheel Locking Devices for the Dept. of Police, at a cost not to exceed $15,000.00 payable from Code Account No. 1452, Equipment and Machinery, Dept. of Police.

Which was read and referred to the Committee on General Services.

Also,

No. 438 An Ordinance amending the Pittsburgh Code, Title Five - Traffic, Chapters 501, 521, 523, and 525 by defining "booting", permitting immobilization, providing for hearings for immobilized vehicles and towed vehicles, and setting fee for release of immobilized vehicles.

Which was read and referred to the Committee on Public Safety.

Mr. Robinson presented

No. 439 Resolution providing for an Agreement(s) with the University of Pittsburgh for a study in connection with the Infant Mortality Problem in the Pittsburgh Area at a csot not to exceed $10,000.00 chargeable to and payable from the 1983 Community Development Block Grant Program, Dept. of City Planning, (CP-83-01), Project No. 4-35-01-0012-83-49-83-35. **—(SPONSORED BY MR. ROBINSON)**

Also,

No. 440 Resolution providing for the Issuance of a Certificate of Appropriateness for exterior work on various residential structures in the Schenley Farms, Manchester and Mexican War Streets Historic Districts and for exterior work on a commercial structure in the Market Square Historic District, in the 4th Ward, 21st Ward, 22nd Ward and 1st Ward.

Also,

No. 441 Communication from Robert H. Lurcott, Director, Dept. of City Planning, requesting authorization for himself to participate at the American Planning Association National Planning Conference in Minneapolis, Minnesota, on May 6-9, 1984, at a cost not to exceed $1,100.00 payable from Code Account CDPA 1983, 4-35-01-0012-83-49-83-35.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 442 Resolution providing for the issuance of a warrant in favor of Lingo Enterprises, Inc. (Robert Lundy, President), in an amount of $4,310.00 in payment for an Emergency Contract in connection with the demolition of a building and the extermination of rats and roaches at 28 Bly Street, payable from Code Account No. PW 81-39, 4-01-30-0300-81, Purchase of Right-of-Ways, Various Locations.

Which was read and referred to the Committee on Finance.

Also,

No. 443 Resolution amending Res. No. 938, eff. 10/8/82, entitled "Providing for a Cooperation Agreement/Agreements with Carnegie Library Central Branch for design and construction to provide Handicapped Accessibility to the main entrance of the Central Branch; and providing for the payment of the cost thereof," by increasing the total project allocation from $80,000.00 to $100,000.00.

Also,

No. 444 Resolution providing for an Agreement or Agreements with Salvucci & Associates, Inc., for Professional Engineering Services in connection with the In-Depth Inspection of the Ohio River Boulevard, Bridge No. 1 over Verner Avenue, Bridge No. 2 over Eckert Street, at a cost not to exceed $115,000.00 chargeable to and payable from Code Account PW-84-07 (4-01-05-0001-84), In-Depth Inspection by Contract.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Woods presented

No. 445 Resolution providing for the lease of certain property on the 6th floor of the Golden Triangle YMCA Building, 1st Ward, from March 26, 1984 to September 30, 1984, to house the operation of the City JTPA (Job Training Partnership Act) Summer Youth Employment Program, upon certain terms and conditions, the total rental for the period from March 26, 1984 to September 30, 1984 shall not exceed $20,000.00 chargeable to and payable from JTPA-1 Trust Fund, federal funds.

Which was read and referred to the Committee on Finance.

Mr. Woods moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 446 Resolution providing for the issuance of a warrant in the amount of $1,075.00 in favor of Robert and Mary Audrey Casciato, for damages which were a result of a sewage backup, chargeable to and payable from Code Account No. 46, Judgments.

Also,

No. 447 Resolution providing for the issuance of a $1,203.55 warrant in favor of Steven J. Starcich in settlement of claim for vehicle damage by a

Department of Police vehicle on January 7, 1984 at No. 8 Police Station, payable from Code Account No. 46, Judgments.

Also,

No. 448 Resolution amending Res. No. 1208, approved December 30, 1983, effective January 1, 1984, as amended, to change appropriation levels for certain code accounts.

Also,

No. 449 Resolution amending Res. No. 1209, appr. December 30, 1983, eff. January 1, 1984, entitled "Fixing the Number of Officers and Employees of all Departments for the City of Pittsburgh, and the Rate of Compensation thereof, and Setting minimum levels for designated positions by correcting the rate of compensation to reflect the 1984 salary rates and collective bargaining agreements.

Also,

No. 450 Resolution carrying over balances or portions thereof remaining in certain code accounts for the year 1983 to the same or to other code accounts for the year 1984.

Also,

No. 451 Resolution providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's Summer Youth Employment Program, at a cost not to exceed $1,046,000.00 payable from JTPA-2 Trust Fund, federal funds.

Also,

No. 452 Resolution further amending Res. No. 285, appr. March 31, 1982 and eff. April 5, 1982, as previously amended by Res. No. 160, appr. February 28, 1983 and eff. March 7, 1983, entitled "Resolution providing for an Agreement or Agreements for professional services in connection connection with the Clean Community System Program of keep America Beautiful, Inc., and providing for the payment of the cost thereof", by providing for an increase in the appropriation therefor from $70,000.00 to $105,000.00 chargeable to and payable from the Mayor's Miscellaneous Services Account, Code Account No. 1017.

Also,

No. 453 Resolution amending Res. No. 832, appr. November 1, 1976 and eff. November 8, 1976, entitled, "Resolution providing for the establishment of a Law Department Imprest Fund in the amount of $500.00", by increasing the amount of said Imprest Fund to $1,000.00.

Also,

No. 454 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, requesting authorization for David M. Matter to attend the 1984 Spring Meeting of the Urban Land Institute in San Antonio, Texas, from April 29 to May 3, 1984, at a cost not to exceed $1,490.00 payable from Code Account No. 1017, Misc. Services, Office of the Mayor. The conference agenda includes meetings, workshops and plan analysis sessions on a variety of development topics.

Also,

No. 455 Communication from Ronald C. Schmeiser, Director, Dept. of Finance, requesting authorization for Benjamin Bendetti to attend a Risk Management in Action Conference in Orlando, FL, from May 29 to June 1, 1984, at a cost not to exceed $1,300.00 payable from Code Account No. 1063,

Misc. Expenses, Dept. of Finance. The focus on this conference is on the various techniques that local governments are using to reduce liability and protect their resources.

Also,

No. 456 Communication from Ronald C. Schmeiser, Director, Dept. of Finance, submitting a report of deposits and market value of collateral Security pledged by City Depositories to secure same as of February 29, 1984.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 457 Petition from the residents of the City of Pittsburgh, requesting a public hearing concerning the closing of the Western Restoration Center, 2851 Bedford Avenue, Pittsburgh, PA 15219.

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 458 Petition from the residents of St. Clair Village, requesting a public hearing to discuss the purpose of resolving the problems with the maintenance of the roads, streets and walkways of the St. Clair Village Community.

Which was read and referred to the Committee on Public Works.

UNFINISHED BUSINESS

The Chair presents

Bill No. 459 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, withdrawing the name of Mr. Leo Bigley as member of the Board of the Housing Authority.

Which was read, received and filed.

Michelle Madoff:

Is he going to substitute, Mr. President?

The Chair:

Apparently.

Mike, if I'm correct, all the ones we're going to pass on today are the ones who were here on Wednesday. Read them en masse. I didn't see any objections there on Wednesday. If anyone has anyone particular they want to separate, we'll do that after.

Michelle Madoff:

What are we going to do with those who weren't here Wednesday?

The Chair:

Have them come in.

The Chair presents

No. 371 Resolution approving the reappointment of Mr. Ronald Schmeiser of 5612 Aylesboro Avenue, Pittsburgh, Pennsylvania 15217, to the Equipment Leasing Authority for a term to expire June 1988.

Which was read.

Also,

No. 373 Resolution approving the reappointment of Mr. Robert Lurcott of 7401 Ben-Hur, Pittsburgh, Pennsylvania 15208, to the Historic Review

Commission for a term to expire December 1986.

Which was read.

Also,

No. 375 Resolution approving the reappointment of Ben Woods, be and the same is hereby approved and confirmed as a member of the Housing Authority of the City of Pittsburgh Board for a term to expire June, 1988.

Which was read.

Also,

No. 377 Resolution approving the reappointment of William Colbert, be and the same is hereby approved and confirmed as a member of the Housing Authority of the City of Pittsburgh Board for a term to expire June, 1988.

Which was read.

Also,

No. 379 Resolution approving the reappointment of Ruth Pittrell, be and the same is hereby approved and confirmed as a member of the Housing Authority of the City of Pittsburgh for a term to expire June, 1988.

Which was read.

Also,

No. 383 Resolution approving the appointment of Mildred Turner, be and the same is hereby approved and confirmed as a member of the Housing Authority of the City of Pittsburgh for a term to expire June, 1988.

Which was read.

Also,

No. 389 Resolution approving the reappointment of Ms. Sharon O'Neil of 586 Moorhead Place, Pittsburgh, Pennsylvania 15232, to the Board of Code Review for a term to expire December, 1986.

Which was read.

Also,

No. 391 Resolution approving the reappointment of Mr. William Coleman of 7130 Mt. Vernon, Pittsburgh, Pennsylvania 15208, to the Board of Code Review for a term to expire December, 1986.

Which was read.

Also,

No. 393 Resolution approving the reappointment of Mr. James E. Simms of 1069 Stoneville Street, Pittsburgh, Pennsylvania 15221, to the Minority Enterprise Review Committee for a term to expire April, 1986.

Which was read.

Also,

No. 395 Resolution approving the reappointment of Mr. Herman Reid of 1554 Petunia Street, Pittsburgh, Pennsylvania 15210, to the Minority Business Enterprise Review Committee for a term to expire April, 1986.

Which was read.

Also,

No. 397 Resolution approving the reappointment of Mr. Richard Scaife of 5201 Westminister Place, Pittsburgh, Pennsylvania 15232, to the Zoological Park Commission for a term to expire October, 1987.

Which was read.

Michelle Madoff:

Mr. President, Mr. Scaife was not here, is that correct? Neither was I.

The Chair:

That's right.

Michelle Madoff:

I think it would be a tragedy in light of the monies and the effort and involvement that Mr. Scaife and Fran Scaife have done for the City to insist that he appear. The only reason I wanted him here, to be truthful, was to congratulate him on what he has done and I thought we ought to do it in person.

I was at the opening, the pre-opening, I think I was one of the privileged people to be at the preliminary opening of the Station Square and I don't think that we should even — I'm sure he has a lot of things on his mind — insist that he be here.

The Chair:

You don't mind accepting all the good things he's done?

Michelle Madoff:

Not at all.

The Chair:

Okay. With the exception of Scaife, all the others have appeared. Does anyone have any objections? Does anyone have any objections to voting en masse? Hearing none, I'll entertain a motion to approve all.

Mrs. Masloff:

Motion to approve all.

Mr. Wagner seconded the motion.

Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 460

Report of the Committee on Finance for March 14, 1984 transferring one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 340

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Brayman Construction Corporation in the amount of Nine Hundred Twenty One Dollars and Forty Six ($921.46) Cents, in payment for Extra Work being in addition to the original contract price of One Million One Hundred Ninety One Thousand Seven Hundred Twenty-Five ($1,191,725.00) Dollars, on Controller's Contract No. 25948, furnished for the benefit of the City in connection with the Reconstruction of the Forbes Avenue Bridge, without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 341

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Machine Manufacturing and Repair Company, 2323 Main Street, Pittsburgh, PA 15215, in the amount of $5,615.00 in payment for installation of three pumps at the Highland Pumping Station furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 342

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Gerald Vitale, Inc. (Gerald T. Vitale, P.E., Vice President) in the amount of Twenty Two Thousand Seven Hundred Eighty Eight Dollars and Fifteen Cents ($22,788.15) in payment for an Emergency Contract furnished for the benefit of the City in connection with the installation of a new 8" water line on Calvin Street between 42nd and 44th Streets without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 345

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title 1, Administrative Article XI, Personnel, Chapter 188, Personal Leave Section 188.02 Personal Leave Days Accrued, changing payment method of accrued personal days."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 346

A Resolution entitled, "Resolution providing for the issuance of a warrant to Fort Pitt Supply Company, in the amount of $52,000.00 in full settlement of claim for property damage, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 347

A Resolution entitled, "Resolution amending the 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, and 1984 Capital Budgets to renumber project code accounts to reflect the reorganization creating the Department of Engineering and Construction."

Which was read.

Also,

Bill No. 348

A Resolution entitled, "Resolution providing for an Agreement or Agreements for consulting services to assist the City of Pittsburgh in acquiring State assistance and fundings, and to work with various agencies of government for the benefit of the City of Pittsburgh; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 349

A Resolution entitled, "Resolution providing for an Agreement or Agreements for consulting services to assist the City of Pittsburgh in acquiring Federal assistance and funding, and to work with various agencies of government for the benefit of the City of Pittsburgh; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 350

A Resolution entitled, "Resolution providing for the acquisition from the Roman Catholic Diocese of Pittsburgh of certain property located in the 6th Ward, City of Pittsburgh, for the development of the No. 3 Police Station and providing for the cost of the payment thereof."

Which was read.

Also,

Bill No. 351

Repealing Item F of Resolution No. 694, approved October 27, 1983, for the sale

of building at 6951 Hamilton Avenue, 12th Ward, designated as Block and Lot 125-M-325, to Richard Harris for the sum of $1,500.00. Resolution is to repeal sale and return the hand money because the building has deteriorated beyond repair, and must be raised.

Which was read.

Also,

Bill No. 353

Resolution amending Item L of Resolution No. 35, approved February 2, 1984, for the sale of vacant land in the 27th Ward, Flora, Tulia anad Textor Streets, Block and Lot 115-A, 245-247; 115-B-324-5-6-7, 332, 335 to Sheila M. Lowe for $900.00. Amendment is to correct description on 2 lots. In both the proposal and resolution the size of the lot in parcel 115-B-326 should be 24.49 x 95.21 x 25 - location - rear Textor Street. The location for parcel 115-B-327 should be Textor Street between Edwin Street and 10 Ft. Way.

Which was read.

Also,

Bill No. 354

Repealing Item J of Resolution No. 896, approved October 14, 1983, for the sale of a vacant lot at 1100 Yetta Street, Block and Lot 47-P-128, to Daniel P. McNally, for the sum of $250.00. Resolution is to repeal sale and return the hand money.

Which was read.

Also,

Bill No. 355

A Resolution entitled, "Resolution repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 514, as amended, and providing for the forfeiture of hand money.

Which was read.

Also,

Bill No. 356

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended."

Which was read.

Also,

Bill No. 412

A Resolution entitled, "Resolution transferring $16,000.00 from Code Account No. 1750, Chemicals, to Code Account No. 1709, Refunds and Interest, Water Rents."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods

Mr. O'Malley — Mr. Stone (Pres't)

AYES 8 — NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 424

A Resolution entitled, "Resolution providing for an Agreement or Agreements, with Volpe-Rogal, Inc., for professional services in connection with the Workers' Compensation Program and providing for the payment of the cost thereof."

Which was read.

Mr. Robinson:

Mr. President and members of Council, I'd like to read a letter from Controller Flaherty, dated March 19, 1984, which relates to Council Bill 424.

"Dear Honorable Council Members:

I urge Council to hold for a week Bill No. 424. This bill extends the Volpe-Rogal Workman's Compensation contract for two months, at a cost of $100,000.

The Controller's Office is now in the midst of a serious evaluation of this contract's cost effectiveness and needs only a few days to evaluate new information.

It should also be noted that the Citv has appointed Baskin and Sears in this contract upon a 30 day withdrawal notice option to serve as Volpe-Rogal's counsel. Baskin and Sears' slice of this annual $578,000 contract is now unknown. Various opinions range anywhere from $100,000 to $300,000.

In view of Councilmember William R. Robinson's resolution regarding Baskin and Sears, this is another reason to hold the Volpe-Rogal contract.

I urge support of the Robinson resolution. Baskin and Sears has already been enriched with $2 million of South African blood money and would most probably continue in their role of purveyor of misery and oppression if they were not exposed.

Considering this fact and their representation of the Japanese Auto Manufacturers along with other foreign entities, I deem it the highest degree of moral callousness and insensitivity to continue to reward this firm with Pittsburgh public tax dollars.

The damage is done, the City should sever all relations with Baskin and Sears regardless of their big political contributions and seek in the future a counsel of the highest credibility and repute.

Personal regards,

Tom Flaherty"

Michelle Madoff:

Mr. President, I would like to ask a couple of questions. When you said in the last paragraph, "regarless of their big political contributions", I'd like to point out that I am a small recipient of political contributions, not large.

I would also like to ask, where is the resolution introduced by Mr. Robinson. I was looking for it and I haven't seen it.

Mr. Robinson:

I read Controller Flaherty's letter; I am not responsible for the contents.

Michelle Madoff:

What I'm asking, Mr. Robinson, is there a resolution today?

The Chair:

No resolution has been introduced today to my knowledge.

Michelle Madoff:

I just read about it in the paper and assumed, of course, that it was going to be today and I was not here. So that is a moot issue at this point?

The Chair:

The Chair recognizes the fact that Mr. Robinson read a letter of March 19, 1984 from the Controller.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)
AYES 6	NOES 1

(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

Bill No. 461

Report of the Committee on Public Works for March 14, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with and affirmative recommendation,

Bill No. 312

A Resolution entitled, "Resolution providing for a long term agreement by and among the Allegheny County Sanitary Authority, South Fayette Township and the Municipal Authority of the Township of South Fayette, to enlarge the Project Z service area serviced by the Allegheny County Sanitary Authority by providing for sewage service for the service area of South Fayette Township including certain residences located in Cecil Township, Washington County, Pennsylvania, upon certain terms and conditions."

Which was read.

Also,

Bill No. 313

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for traffic signal installation at various locations within the City of Pittsburgh; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 314

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the purchase and installation of poles and street lights at various locations within the City of Pittsburgh, and other work incidential thereto; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 315

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the installation and removal of Flashing Signals at School Crossings at various locations within the City of Pittsburgh; and providing for the payment of the costs thereof."

Which was read.

Mr. O'Malley:

On Bill No. 315, installation of school crossings at various locations, I think members of this Council asked for a list of those locations. Did we receive that? I'd like to move for approval on the bill but I'd like to ask Mr. Perry to send down and ask for those locations.

The Chair:

Mike, so there's no problem, let's once and for all send a uniform letter to all directors that where the term "various locations" is used they shall provide a list of those locations.

Also,

Bill No. 316

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Borough of Greentree and/or Louis Viglione for the purchase of a Twenty Five (25) Foot section of Hale Park land, to effect a Fifty (50) Foot wide extension of Red Oak Drive, and for the improvements of the drive. Also, to create a trust fund labeled or entitled, "Red Oak Drive Widening Trust Fund". Funds for the purchase of the property for widening to be made by Louis Viglione to the City and deposited into said Trust Fund for the payment by the City to the Borough of Green Tree."

Which was read.

Also,

Bill No. 317

A Resolution entitled, "Resolution granting unto Ward Hawks, 916 Arlington Avenue, his successors and assigns, the privilege and license to reconstruct, maintain and use at his own cost and expense, a porch over a portion of the sidewalk of 916 Arlington Avenue in the 18th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski Mr. Robinson

Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

Bill No. 462

Report of the Committee on Planning, Housing and Development for March 14, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 36

A Resolution entitled, "Resolution amending Resolution 1204, approved November 19, 1981, entitled, 'Providing for the designation of certain districts and structures as being of historic and landmark significance under Section 3 of Ordinance 20, approved July 30, 1979. These certain districts and structures are known as the Manchester Historic District'."

Which was read.

Also,

Bill No. 189

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application for Financial Assistance in the amount of One Million Eight Hundred Fifty-Nine Thousand Eight Hundred ($1,859,800.00) Dollars to the Pennsylvania Department of Community Affairs for the J & L Project."

Which was read.

The Chair:

Mr. Wagner, you asked about the J & L Site. I've already made inquiries, for what it may be worth, into that nine mile arterial, that's coming up from Second Avenue to the other end of the Squirrel Hill Tunnels, in hopes that that will help the development there.

Mr. Wagner:

Is there any proposal for an exit ramp?

The Chair:

I'm trying to find out presently whether we can work with it. This is something that's been on and off the boards a couple of times; I'm doing with SPRPC and we'll bring it back here and see that we can work with it. I'll give you an update as to where we're going with it.

Mr. Robinson:

One comment on that, Mr. President. We were supposed to have from Mr. Brophy today some written documentation in response to Councilman Wagner's concern. That written documentation is not here. I think it would be inappropriate for us to move at this time on such an important matter.

The Chair:

Regretfully, we've already moved on it.

Mr. Robinson:

I still think that that bill should be reconsidered. If the Council President will permit me, I think it would be foolish at this time to move because this Council still has to approve the master plan and the zoning change for this project. To move in the face of a member of Council's request being ignored, I think, is very imprudent and unwise. Why are we trying to create a problem? If indeed the Urban Redevelopment Authority and the Regional Development Corporation are going to address this concern, certainly we can get something in writing when a respectful request has been made. I think the Chair, on numerous occasions, has indicated that requests from members of Council should be honored. Not only did Councilman Wagner make this request, I made this request as Chairman of Planning, Housing and Development, and I respectfully requested the Chair address this issue in a fashion other than which has already been addressed.

The Chair:

Do you have any problem with approving it, Mr. Wagner?

Mr. Wagner:

Is it possible to hold it for one week?

The Chair:

That's what I'm asking. Do you want to hold it or do you want to approve it?

Mr. Wagner:

We have made numerous requests and I thought possibly that some of that information was provided Mr. Robinson or to you, the President, but in finding out that it has not been provided, I think we should hold it for one week.

The Chair:

Alright, without making a big issue out of it, does anyone have any objections to recommittal?

Mr. Robinson moved to recommit Bill No. 189.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Wagner:

Mr. President, I'd like to make one comment on this. It is about time, like Councilman Robinson said and Mr. Wagner — Too many time we ask for information and we let it go lightly if we don't get it. I think the message has to be sent back that we're not going to do it anymore.

The Chair:

Fair enough.

Also,

Bill No. 329

A Resolution entitled, "Resolution providing for the issuance of a Certificate of Appropriateness for demolition of the residential structure in the Manchester Historic District at 1412 Warner Street (Block and Lot 22-F-16) in the 21st Ward. .Also, providing for the issuance of Certificates of Appropriateness for exterior work to be done on the exterior of the residential structures in the Manchester Historic District at 1307 West North Avenue (Block and Lot 7-C-3) in the 21st Ward, and the residential structures in the

Mexican War Streets Historic District at 402 West North Avenue (Block and Lot 23-P-27); 1224 Filson Way (Block and Lot 23-K-111) in the 22nd Ward."

Which was read.

Also,

Bill No. 330

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire and condemn all of the City's rights, title and interest, if any, in and to the publicly owned property in the 13th Ward of the City of Pittsburgh designated as Block and Lot: 174-R-32 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 331

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Shakespeare Street Associates for the sale of Parcel 3A-1 in the Seventh Ward of the City of Pittsburgh. (DRIVEWAY ENTRANCE)"

Which was read.

Mr. Grabowski:

Mr. City Clerk, on Bill 331, what Ward was that?

Mr. Perry:

It was the 21st Ward.

Mr. Grabowski:

Our file copy has 7th Ward.

Mr. Perry:

Your file copies are incorrect.

The Chair:

Let that stand amended.

Also,

Bill No. 332

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and listed redevelopers for the sale of properties in the City of Pittsburgh. (URBAN HOMESTEADING REHABS.)"

Which was read.

Also,

Bill No. 334

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Robert John Smith and Samuel R. Musgrave for the sale of Block 22-R, Lot 206 in the Twenty-First Ward of the City of Pittsburgh. (PARKING)"

Which was read.

Also,

Bill No. 335

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Grane Associates for the sale of Block 22-L, Lot 196 in the Twenty-First Ward of the City of Pittsburgh. (RESALE FOR REHABILITATION)"

Which was read.

Also,

Bill No. 336

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Grane Associates for the sale of Parcel 40 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27. (PARKING)"

Which was read.

Also,

Bill No. 337

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Marcella R. Swinton for the sale of Parcels 93 and 92B in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27. (RESALE FOR REHABILITATION AND SIDEYARD)"

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 416

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01(a)A-34 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for authorization to Transfer Development Rights from the Stanley Theater Site and Heinz Hall Site to a receiving site having frontage on Liberty Avenue; Seventh Street and Penn Avenue for the purpose of constructing two 32-story office buildings in the 2nd Ward."

Which was read.

Mr. Robinson:

I vote no on Bill No. 416 and my reason for voting no is that in Section 2 of that bill, Part C, it indicates that approval of the Urban Development Action Grant, as submitted to HUD. I am not in support of the Urban Development Action Grant as submitted to HUD on the Grant Liberty Project. I vote no on 416.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Grabowski presented

Bill No. 463

Report of the Committee on General Services for March 14, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 326

A Resolution entitled, "Resolution providing for the letting of a contract or contracts; or for the use of existing contracts, for the purchase and delivery of Computer Equipment for the Department of Emergency Medical Services, and payable thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

Bill No. 464

Report of the Committee on Parks and Recreation for March 14, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 319

A Resolution entitled, "Resolution repealing Resolution No. 870, effective August 31, 1981, entitled, 'Providing for the letting of a contract or contracts, or the use of existing contracts, for concrete work repair of the Lilly Pond at Phipps Conservatory; and providing for the payment of costs thereof'."

Which was read.

Also,

Bill No. 320

A Resolution entitled, "Resolution repealing Resolution No. 1025, effective October 27, 1977, entitled, 'Providing for the letting of a contract for the furnishing and delivery of Portable Heaters, for the Bureau of Administration, Department of Parks and Recreation and for the payment thereof'."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Wagner presented

Bill No. 465

Report of the Committee on Engineering and Construction for March 14, 1984, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 344

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Duquesne Light Company for the privilege and license to install, use, operate, maintain, repair, renew and finally remove thirteen (13) poles, together with cables and wires, five (5) anchors, guys and other necessary appurtenances thereto belonging, upon, over, under, along, across and through certain property of the City of Pittsburgh, situated in the 26th Ward, designated as Block and Lot 76-D-1, in connection with electrical service to Riverview Park."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Michelle Madoff:

Who typed the bills this week? There's a typo in this one and there was a

big typo in the resolution we gave to Pat McNamara. There have been several errors in typing and I just thought I'd point it out. It must have been done in a hurry.

The Chair:

Sometimes word processors are too efficient. They don't take out what was already in there.

Michelle Madoff:

I'm just being supportive of Mike and his problems. He's trying to resolve them and I just want to let him know I'm with him.

The Chair:

Alright, Mike, you stand supported.

MOTIONS AND RESOLUTIONS

The Chair:

Before I go to the rest of you, I'd just like to cover two things myself.

Mike, I would like to place this as a post agenda, not this Wednesday but the following Wednesday and I'm hoping there's nothing there.

I was somewhat distressed this morning to receive a call relative to the delivery of butter and cheese this morning in which in the South Side and Allentown —

Mrs. Masloff:

All over the City.

The Chair:

All over the City, and the regretful thing about it is, it turns out to be solely a delivery problem. I'm appalled by the fact that apparently the trucking company that was to haul the cheese was supposed to be there last Friday. They had a breakdown and some other difficulties but at least they owed a responsibility to tell someone from Friday, Saturday and Sunday, or at least provide a different kind of vehicle, even if it had to be rented. The tragedy of it is, all the volunteers were there and from the information that I have received, at least in four places, there were lines at least three and four blocks long. I find that very distressing; it's bad enough to have to have that need without it being abused as it was and I'd like that brought up on a post agenda, Mike. I'll give you a list of people that I'd like to have there and have that resolved once and for all.

I understand there's to be some changes but that should not be left uncovered by this Council since it concerns those people in great need.

Mrs. Masloff:

On the same issue, I received several calls in connection with that. Unfortunately, they told the people to be there in the morning. They told them it would be open at 1:00; when they came at 1:00 it still wasn't open, they still haven't been served.

I agree with you that it's a deplorable situation.

The Chair:

I called cold storage this morning. They had the products there and the delivery vehicles had not come. I pleaded with the manager there and it was only in getting to him and requesting it that it was my understanding they were going to deliver within the hour.

Mrs. Masloff:

What time was that?

The Chair:

About ten or ten-thirty.

Mrs. Masloff:

At 1:00 it hadn't been delivered yet.

The Chair:

The regretful thing about it is that the line had already been there almost an hour. That's not fair.

Michelle Madoff:

You know, Mr. President, I think the issue is a very serious one, but there are a lot of very serious subjects that we don't bring up at the post agendas and when we do have them they're not on camera for the public to view because this Council, I believe in a close majority vote, voted not to show post agendas where really the guts of these hearings take place. I think we really bore people, basically, when we say, Resolution No. so and so, and if there's no discussion, aye, second, all in favor, and there's really not an opportunity for the people to plug into the issues that this Council addresses itself to. I mean, in the real world it's not impossible for you, certainly as an attorney and as President of this Council, the clout that you have, to call the people, the federal government or the state, whoever is supposed to be supplying the cheese, and take care of the matter and deal with it either through the media or through demanding a change.

If we're going to have a public hearing, in essence a post agenda, and have people say, "I didn't get my cheese" which we know they didn't and they're entitled to it and it's an abuse of everything we deem correct and moral, I'd like to see the cameras here so the people know what we are doing, that we do deal with some substantive issue, and not only because you're holding that hearing but when we do have other subjects that are very important. I think it's appropriate at this time to suggest that we extend our televising on Channel 17, the Government Station, to having the post agendas and all substantive public hearings. When we have a hearing that takes five minutes and nobody is objecting to a zoning, I don't think we need to put that on camera. But we had people here saying, "We don't have police in our area and we're upset", and other communities can realize that they are going to get some help, they should also know that this is a vehicle and a mechanism and a place they can come to their elected officials.

I really find it offensive that we are not having the gut and the major issues of this Council televised. I would urge that we do that and I think it's appropriate that I mention it and I would like to make that in the form of a motion now.

The Chair:

Michelle, I think you're going to have to put that in and then we'll cover that in Council in the proper order.

Michelle Madoff:

When would be the proper time?

The Chair:

Insert a resolution, then that will come up like the other resolutions.

Michelle Madoff:

Mike, would you put that in in a form of resolution that we extend the hearings — We do have a problem with that. You know we were to have the people from Warner, Brother Richard; we scheduled a hearing, how many times, Mike? Five times on that hearing.

The Chair:

If we had a vote on that now and the question would be you'd either have to vote over what we did or rescind what we did.

Michelle Madoff:

Well, we really need a post agenda on it.

I'm not through on that subject. We are supposed to have a meeting with all the parties involved. Rumor has it that Warner is going to be bought out; rumor has it Warner is going to a partnership; rumor has it in the weekend paper that they're buying back their own stock. I don't know what's going on; I don't think any of us do. But I think it's important that we have Brother Richard here to see that —

The Chair:

Wait, wait. We're still talking about this one subject. We'll change and I'll give you the opportunity. Hold on.

Michelle Madoff:

I'm on the same subject; I'm talking about —

The Chair:

You're talking about the sale of Warner and all we're talking about is butter and cheese.

Michelle Madoff:

I'm talking about having Warner supply the time, that they say they don't or may not have, to have the camera people and the equipment to be here for the post agendas and the hearings. They were supposed to be at a post agenda. I want to get that post agenda scheduled.

The Chair:

I think the Chair has to tell you that we have a resolution on it and the only way you can change it is to formally do the same thing we did at that time. So, it will need another vote.

Michelle Madoff:

One second. Did you introduce my resolution? I didn't hear you introduce it.

Mr. Perry:

Yes.

Michelle Madoff:

It is introduced for a week from Wednesday?

Mr. Perry:

Right.

Michelle Madoff:

Okay.

Mr. O'Malley:

If memory serves me correctly, I think it was Brother Emenecker who explained to this Council when this resolution, Michelle's, was brought up previously, that he has other time restraints and other obligations for the goverment channel. That is one of the

reasons why he cannot tie it up four days a week on City Council business. There's other obligations that he's obligated to.

Michelle Madoff:

That is why I called for the post agenda and had Warner because they had given other circuits, other lines, to other entities and I was wondering whether we could do it, somehow or other Warner could supply the time, and whether we could make this a priority. I listen and watch some of the dribble on 17 and I'm wondering whether the post might not be more important, and the hearings, than what we are doing on a Monday meeting.

The Chair:

Introduce the motion, Michelle, and we'll handle that in the proper order.

The other one that I'd like to cover before I go out, and I'd like to do that, Mike, two weeks from Wednesday, and that's the matter that has just begun in certain areas in our City and I want to find out how far it has extended. That is the matter of certain insurance companies finding upon themselves, after thirty-five years of no claims on a house, to cancel out because of certain things that happened in the area, even though it's not immediate to that particular area.

If that's going to be their practice then we ought to bring it out and let everybody know about it. If they're not going to be responsible and understand, then people ought to know about it. If they're in violation of the insurance laws, we're going to make sure the Insurance Department knows about it but we're not going to let people who receive a call on the telephone telling them they're getting their insurance cancelled without a letter. That's not the proper way to do it and it's going to be done in a different way. I'll give you a list of people I want; I'll get you the name of the insurance company, Mike, the individual involved, and a responsible individual from the Insurance Department.

I'm beginning to get a little alarmed about some people who think that they can cancel out people indiscriminately and just add to their burdens and hope that they won't say anything. It's about time someone comes to their assist and I'm hopeful that in this fashion we'll start putting everybody back in their proper frame of where they belong. That's two weeks from this Wednesday.

Michelle Madoff:

Are you talking about red-lining?

The Chair:

A form of it.

Mr. Robinson:

Mr. President and members of Council, on the issue of bond counsel for the City of Pittsburgh and specifically the situation with our present bond counsel, Baskin and Sears, I'd like to read a letter that I received relative to this matter. I think it's appropriate to have this letter read into the record.

As Council is aware, when the issue came before this Council to the extent that our bond counsel was serving as an agent for the Republic of South Africa, I did get in contact with our bond counsel, Baskin and Sears, and with the Mayor relative to this issue in an attempt to try to resolve this matter and at the same time not jeopardize the City's bond standing. I did request that the firm of Baskin and Sears make some decision as to how they felt the matter should be resolved. They chose to take

some actions which are identified in this letter, dated March 14, 1984 and I think in light of the fact that we will be going out on a bond issue sometime in May that this letter becomes most relevant. It says:

"Dear Mr. Robinson:

Pursuant to your request, this confirms that as of February 29, 1984, John Sears, Philip Hare, John Ward, and Robert Kelley, formerly of our Washington, D.C. office, withdrew from our firm. Beginning March 1, 1984, they no longer have any interest in our firm, nor do we have any interest in their new firm.

The Sears firm will have its own telephones and its own number and its own employees and the two firms will be clearly delineated in all directories so that it will be clear that there is no connection between the two. As I told you, temporarily, while we unwind our present long-term lease obligations on our space, the Sears firm will continue to use some of the space in the second floor of the building in which we are located at 818 Connecticut Avenue. Both parties are planning on a permanent separate physical arrangement as soon as practicable.

As you know, John Sears and the others named above, while a part of our Washington, D.C. office, had been representing the Government of South Africa, and with their withdrawal our firm no longer has any connection with, or interest in, the government of South Africa or in any fees or payments of any kind from said Government. Nor is there any kind of referral arrangement of any kind involved.

The name of our firm will be changed by April 1 which will be the start of our firm's fiscal year. We are in the process of ordering stationery and taking all the other steps necessary to carry out this change.

We appreciate the fact that you have publicly stated that the acts which we have taken comply with the desires of the Mayor and City Council and that we can put this matter behind us.

Very truly yours,

Philip Baskin"

The record should also reflect that the check that I was holding as Treasurer of the Public Auditorium Authority has been signed and has been forwarded to Mr. Baskin for proper disposition. I think his letter is self-explanatory and, hopefully, this will give Council some direction in our future dealings with bond counsel.

The Chair:

Thank you.

Mr. Wagner:

Mr. President, I'd like to have the comments brought forward from last week's Committee Meeting pertaining to the increase in user fees of the Aviary, Phipp's Conservatory and the Zoo put into the record.

(BEGINNING - MR. WAGNER'S REMARKS - WEDNESDAY, MARCH 14, 1984)

Mr. Wagner:

The cost of operation, Ms. Brown is $1,600,000.00?

Director Brown:

For '83. For '84 the budget is $1,700,000.00.

Mr. Wagner:

What is the cost of operation for the Aviary? What was it last year, in '83?

Director Brown:

It is here.

Mr. Wagner:

And Phipps?

Director Brown:

Do you have that, offhand? It is on a yellow piece of paper. Of the Aviary, cost of operation for '83 was $412,900.00; for '84 it is projected $443,000.00.

Mr. Wagner:

What were the revenues generated at the Aviary?

Director Brown:

In '83 admission $63,209.00, concessions $25,300.00 — I am rounding off a little bit here.

Mr. Wagner:

Total revenues generated at the Aviary were $91,000.00 approximatley?

Director Brown:

Eighty-eight.

Mr. Wagner:

Eighty-eight thousand?

Director Brown:

Right.

Mr. Wagner:

And Phipps Conservatory?

Director Brown:

Operating budget in '83, $638,000.00; in '84, $708,000.00, total operating budget. That includes the trust fund expenditures as well as the tax dollar expenditures. Total revenues in '83 — do you want them broken down by admission and concession?

Mr. Wagner:

Yes, please.

Director Brown:

Admission $211,220.00, concessions $73,918.00, total $285,000.00.

Mr. Wagner:

For all three, the Zoo, the Aviary and Phipps, it appears as if there is an operating deficit at the Zoo.

Director Brown:

They are not a profit-making organization.

Mr. Wagner:

The Zoo, if you will permit me for one second, $800,000.00; at the Aviary approximately $325,000.00; at Phipps Conservatory approximately $350,000.00?

Director Brown:

That is correct. The Zoo we have a 760 difference. I don't know.

Mr. Wagner:

Okay, where does that money come from?

Director Brown:

The way that we have, forever, City Council and the Administration, have dealt with these three facilities is that a 100 percent of the operating need is appropriated by City Council in the budget. As the revenues some in they come back, then, into the City, so it is not a matter of where does it come from, it is appropriated annually in the total operating budget.

Mr. Wagner:

Okay. That leads me to my next question. For the Zoo, what percent of the people that use the Zoo are not City residents?

Director Brown:

We have not conducted a study this year, but a study that was conducted two years ago by the Pennsylvania Economy League estimated, since they didn't hit it every day, was it 80 percent or 75 percent?

THE CHAIR COMMENTS

MRS. MASLOFF COMMENTS

Mr. Hayes:

Three out of every four of our visitors live outside of the City.

Director Brown:

Fifty percent live outside the County, then there is another percentage that lives outside the state.

Mr. Wagner:

In the Aviary, what would it be?

Director Brown:

The Aviary was 50/50, maybe even more City residents.

Mr. Wagner:

And Phipps?

Director Brown:

Phipps was less than the Zoo but maybe about between 60 and 70 percent non-City. Still a higher percentage of non-City. I'll check those figures. I think we probably need to do another survey.

Mr. Wagner:

So, in other words, if you were to take those figures, 75 percent for the Zoo, 50 percent of the Aviary, 65 percent for Phipps, there is no doubt that the City residents are subsidizing somewhere in the area of a million dollars for the use of our facilities by non-City residents?

Director Brown:

Absolutely.

Mr. Wagner:

That leads me to my next problem, that means we are paying $1 million; we are increasing the user fees of our facilities; if any City resident goes to Mt. Lebanon or Fox Chapel or Churchill, or anywhere, and they use their swimming pool, they use their tennis courts, they use any facility, they pay a user fee greater than the residents of those communities. There is, in this proposal for increasing the fees, there is

no proposal being made to increase the user fees for non-residents.

Director Brown:

That is correct.

Mr. Wagner:

How can we in good conscience require our own City residents to continue to carry the burden for the people from Fox Chapel and Mt. Lebanon when in fact we know that the average family income for those people is much greater than that of the City residents?

Director Brown:

I think we even talked about this, Councilman. We would like very much to be able to do that. These facilities are definitely regional, if not larger than regional, attractions in the City, and they do, obviously, as the statistics show, generate a lot of admission from non-City residents; however, all the charges are the same. I have discussed this with all of the facility directors regarding the potential of doing that, and the bottom line comes down, not only for these facilities but also for our swimming pools, and also for our parks, and also for our big events, there are a lot of non-City residents that swim in our pools, too, that we are trying to deal with, it becomes a very expensive administrative problem to differentiate between City residents and non-City residents at the site, at the Zoo.

We do have the free day that we hope the City residents will take advantage of, but, of course, non-City residents can do that also. I think the Mayor mentioned on numerous occasions some other ways of dealing with this problem of the non-City residents use of our facilities through State legislation. We have applied to the County for a Grant to help the improvements at the Zoo. We have just received a letter saying it will be on the agenda of theirs in the next couple months, so we hope that is another way that we can, somehow, balance out this inequity of our problem, and it is really not mine, it is Mr. Hayes' problem at the Zoo. On a good Saturday, which is when the people come, you will have seven to ten thousand people, and to try to identify where one lives by Zip Code in the City or not in the City, is administratively very difficult and will definitely not be appealing to City residents as well as non-City residents in terms of continuing our population increase and admission increase at the Zoo.

Mr. Wagner:

So, have we attempted to determine the cost of a card that would be provided to each and every City resident that would be used at these three facilities?

Director Brown:

We have talked with Mr. Schmeiser, and the Finance Department, about doing that and it would be extremely expensive to issue and insure that 423,000 people got a card, in terms of having to mail it to them. We didn't feel it was fair to ask City residents to come downtown and line up in the Treasurer's Office and show identification to get a card. That was another way we looked at it. We have not discarded it or not been concerned about this effort.

The fact that two-thirds, or three-quarters of the people that come to the Zoo live outside the City, this increase for adults, particularly, will hurt them as much as the City residents. There are more of them. We are not increasing this for children. It is

almost impossible to identify children in terms of residency and proof. They don't have drivers' licenses; they don't have any kind of official identification.

Mr. Wagner:

I agree with the point that you are not increasing the user fee for children, even though the children may live outside the City.

Director Brown:

Or senior citizens.

Mr. Wagner:

I have great concern about the adults. I would venture to say if we were to issue a card to each and every City resident, the cost of the manufacture and issue of that card, with their name on that card, permitting use at a certain fee at the Zoo, at the Aviary, at Phipps, it could be done for a fee not greater than $1.00 a card, meaning that it could be done for $400,000.00. Now we can easily increase the user fees at these three facilities, say, for instance, with the adult admission to $3.00 for City residents, but also increase the user fee to non-City residents to, say $4.00 or $5.00 for adults. We could do the same at Phipps.

Director Brown:

I would not recommend that.

Mr. Wagner:

The point is, we are spending $1 million out of every taxpayers' pocket, and I am paying for the people from Mt. Lebanon, Fox Chapel, Churchill.

Director Brown:

That is not — wait a minute — I meant there is no Zoo in the country that is self-supporting, and it does not come from admissions. I think if you raise anybody's fee to $5.00 or $6.00 your attendance would just go way down, way down, so you would not make up that difference.

Mr. Wagner:

Rather than do that, let's decrease the amounts for the City residents and leave it the same for non-City residents.

Director Brown:

Again assuming there is a procedure in place that can identify City residents.

THE CHAIR COMMENTS

Mr. Wagner:

You may lose the few dollars, but the City resident is benefitting that they are getting a service from this City cheaper than the person who lives outside the City. I personally think the increase in users fees of all three should be greater. Someone using Phipps can certainly afford more than $2.00 based on the average person that uses Phipps, and the Aviary, and not as much the Zoo, however. It seems to me, along with this proposal, we should be making a valid attempt to institute a system where those that do not live in the City pay more, and it is difficult for me to say, yes, let's increase the fees when we increase the fees for our own people.

Director Brown:

You mentioned a procedure that everybody could get a card for $1.00.

Mr. Wagner:

Yes.

Director Brown:

That means — what was our attendance, 500,000.

Mr. Wagner:

You are talking about adults only.

Director Brown:

There were 300,000 adults and 75 percent were outside the City. Then we would be requesting 400,000 people of City residents pay for an admission, basically, even if they don't want to go there.

Mr. Wagner:

You are through? We would be paying for the issue of a card, but we would address a long-term problem that has existed too long, and there is no intent to correct the situation.

Director Brown:

I would not say that. I am very open and the Administration is, to ways we could implement this. The Mayor has asked me to look into ways we could implement this that are not so costly that it costs the taxpayers more, and that are fair and equitable and can be done in an Administrative way at the facility.

Mr. Wagner:

Have we looked into a way, based on issuing a card? Have we found out what it would cost to provide a card for every person?

Director Brown:

We did that when we were working on the swimming pools as well.

Mr. Wagner:

What is the cost per card?

Director Brown:

The card itself is not expensive. It is the administrative procedure, making sure people live in the Cty, what address, that you got everybody at those addresses.

Mr. Wagner:

What is the cost per card?

Director Brown:

I have no idea what it is now.

Mr. Wagner:

We haven't investigated that possibility?

THE CHAIR COMMENTS

Director Brown:

Yes, as part of that proposal to get — it is a fee back as a substitute for this commuter thing. I am not minimizing the point, other than the thing we always had in attempting this thing, the control factor, of having the extra employees, then, on the hours that there is no big volume I still have to have someone there, and it is a costly thing. I wanted to point these things out as well.

Mr. Wagner:

My own personal opinion, I think this Council needs to be provided with information pertaining to an effort taken

by the Administration to increase the fees of non-residents for these facilities. These are not the only three facilities in this City that non-residents are using at a price equal to that of a City resident. I don't see how in good conscience we can proceed any further, based on the economic conditions that exist in this City, and even think in the past, or in the future of tax increases, etc., when we are giving away on these three facilities $1 million a year on other uses, money I am sure equal to or greater than that they are taking, making the effort to implement a system to address this problem.

May I make one more last point? I feel if Council passes these increases this problem will be pushed aside, and I think action should be taken immediately to address alternative approaches to implement user fees prior to this being passed. I do not think that our residents should continue to carry the burden, and I would like to see this Council hold this until something is done along these lines.

Director Brown:

To hold it would take several months for us to do that kind of research that you are asking for, and what our concern about it is, whenever, just like any business, whenever you change any kind of fee or price you've got to do it in the beginning, not at the end, and the Zoo business really starts April, May, when the weather gets nice, and memberships are sold, and there are a lot more people coming. It would be my recommendation we not do that; and change it in July, that would be really tough to pay $2.00 one day and the next day $3.00. There are a lot of people that are return visitors.

Mr. Wagner:

We all know this topic has been discussed for years.

Director Brown:

Forever.

Mr. Wagner:

And nothing has been done. My fear is that it's going to continue. I personally have no qualms with increasing the parking fee equally. Mr. Hayes indicated the difficulty in the parking area. Personally, I think the way other cities have done it, townships do it, to identify who is a City resident —

Director Brown:

But they are small populations with small facilities. We are talking about a big, regional attraction, which is a benefit to Pittsburgh above and beyond the facilities there. One of the reasons we were rated fourth most livable city is the Pittsburgh Zoo. It has advantages from an economic standpoint. I agree with you.

Mr. Wagner:

To be quite honest with you, I feel it has no economic advantage as long as our residents are paying for non-residents. This City could exist, I think, without a zoo, even though a zoo makes it extremely attractive; however, we should not be paying for those.

Director Brown:

Our residents are paying for non-residents all over this City, for everything, for our streets, our police, for our parks, our pools, and that is what the Mayor, I think, has over and over and over tried to persuade the State Legislature to address that problem, whether it is on a piecemeal basis, where you discount an Aviary, or some other

way. That, as the Mayor said, is the only way we're going to really solve the problem.

Mr. Wagner:

But we have the opportunity here to implement a program, and there has been no attempt to implement a program to make non-residents pay more.

Director Brown:

As Mr. Hayes has said —

Mr. Wagner:

I feel until the Administration shows this Council that they have attempted to implement a program and cost involved in implementation of that program, and nothing has been done today, I think this Council should not be acting on this type of increase.

MR. O'MALLEY COMMENTS

Mr. Wagner:

I have one question, Mr. Chairman, our procedure of voting on this today, does that mean these fees become effective, and there is no need to vote on Monday.

MR. PERRY COMMENTS

Mr. Wagner:

In other words, this is the final vote on this?

MR. O'MALLEY COMMENTS

Mr. Wagner:

I disagree. Is it possible to break this up into various categories and vote on it, Mr. Chairman?

THE CHAIR COMMENTS

Mr. Wagner:

I move that we break these up into various categories and vote on them.

I would like to see the parking fee remain the same, and prior to voting on admission fees for the Aviary, Phipps, and Zoo, I'd like to see some efforts to address the problem that was brought up today.

THE CHAIR COMMENTS

Mr. Wagner:

I personally would like to see us move to vote on parking.

(END - MR. WAGNER'S REMARKS - WEDNESDAY, MARCH 14, 1984)

Michelle Madoff:

I have a couple of items. I'd like to take the opportunity — I was not here last week — of thanking the reporter for the Post Gazette for his story on March 15th with reference to the "Council OK's Hiring Lobbyist". It's refreshing to see a story come out that says in truth where the idea originated, even though the Mayor runs with the ball, or the Administration, many, many good ideas come from many members of the Council here and it always suddenly springs from the head of Zeus and we're relegated to not having done anything substantive and I would like to thank the reporter publicly.

On another matter. Mr. Wagner, I apologize to you for not having brought this to your attention because it falls in your purview, but the mail just arrived. I've been away; Mr. Stone is aware of it. I didn't get this material until the last couple of days; it was sent by some

special air express.

If you look at today's bills, on Bill 347, the bill where we're transferring project code accounts to reflect the reorganization created by the Department of Engineering and Construction. We go on with all the pages of items that are being transferred to Engineering and Construction.

As you know, and I've made no secret of it, I was very distressed that Mr. McDermott, who comes from Kimball Construction, who is an expert in organizing, that's what he did for Kimball, needed to have Mr. Massaro be hired as an advisor to Mr. McDermott. I was in Mr. McDermott's office, as was Mr. Wagner, and I did speak to Mr. Massaro on the phone, with reference to a letter he was to supply us with, the letter saying that he would not bid on any contract that he advised on. But then he clarified that and said, "Of course that would be during the time that I'm advising; I would certainly not be adverse to bidding on it afterwards." He also went on to state, and Mr. Wagner said substantiate and so did Mr. McDermott, that he was not going to do anything on any particular project but just deal, in essence, with structuring procedures, how one would do construction and engineering procedures, accounting. Is that essentially correct, Mr. Wagner?

Mr. Wagner:

He would advise in construction management procedures.

Michelle Madoff:

So, essentially not deal with any particular project.

I have talked to a number of people and it seems that that is not a possiblity because you cannot design in the abstract; you have to have a project in which to have a formula designed for that particular project, whether it's water lines for the Water Authority, whether it's going to be a branch or so on.

So, I took it upon myself to contact a company in Canada. Now, before anybody jumps at me saying, "Well, they're not a Pittsburgh firm", 80 percent of our purchasing, according to our Supplies Director list, printouts that I have in my possession, are done out of the City. This is a company called Barlow Associates; they're in Toronto, Canada. They do not do construction; they do not bid on any projects. All they do is show you how to set up systems. They were gracious enough to give me the names of three other companies who might possibly be able to do the same thing. So, there would not be any conflict of interest but certainly not even the appearance of conflict of interest.

It just happens that Mr. McDermott, who is heading this new Department of Engineering and Construction, attended a course for $2,500, I believe before he even came to the City, with this particular company and said it was the best course he ever took.

I strenuously oppose the company that is now going to have to have $94,000 worth of repair jobs for Three Rivers, in the infield, being the advisor to Mr. McDermott, which is a joke. And I might add to that that when I was told by a private source that there was a problem at Three Rivers, trying to be a responsible Councilwoman and not trying to appear that I was a publicity hog — Incidentally, I don't think there's anything wrong with being a publicity hog because unless you have a few

million dollars and you can buy time in the paper, the only way you get the message out to the public is to go public and if that brands you a publicity hog, so be it. I had heard about this problem at the Stadium and I went to the Mayor and I said, "Gee, I hear you have a problem with the Stadium" and he said, "Oh, it's only two feet by four feet; it's a little nothing." This little "nothing" turns out to be worth $94,000 and they're still going to be the consultant to Mr. McDermott.

I do not know whether Dr. Massaro is directly related to Massaro Construction. Does anyone know that?

The Chair:

He doesn't have anything to do with that turf over there, does he?

Michelle Madoff:

I'm just wondering, why don't we change the City of Pittsburgh to the City of Massaro? I'm just beginning to wonder.

The point that I'm making is that I would like to turn this over to my colleague, Mr. Wagner. I'd like him, if he would, to pursue the concept of having an independent, unbiased, somebody who is not going to get five cents of construction work, and the Massaros get it in the millions, and are very close allies of the Mayor and very strong supporter of his run for Governor, to have this taken into a non-political arena. I feel very strongly about that.

My third and last item. For some time this Council has been very distressed about non and slow payment by our Controller's Office. The Controller's Office has come to our Council meetings saying, "We get the bills; we pay them in three days. But we can't pay them if we don't get them". I was told when I got here five and a half years ago that Mr. Whitmer was hired as an expediter; that he was a person who would go through the departments to see that bills were expedited so I would not have a number of ward chairmen calling my office saying, "My son-in-law hasn't been paid for his demolition work" and other people calling to say they haven't been paid for things that they supplied the City with and the second time they go out to bid — First of all, nobody wants to bid; we get one or two bids. And then they have to go borrow money because they're not going to get paid quickly so they add onto the price.

Well, when I picked up this article in the paper that appeared on Sunday by Jon Schmidt with reference to, and it lists the items, that we are paying more for many items in the City, retail, than the City could probably get them wholesale, and that we do business in this manner. I'm glad for one, that you have introduced, Mr. Stone, you said some procedure that you were going to share with us, to see that some mechanism was going to happen to keep these prompt payments in place. I do want to tell you that I have conferred with the Controller's Office and our office is about to come out with a prompt payment bill which has the support of the Controller's Office. We will certainly share it with every member of Council; we're still working on it. But I think this really goes to the gut and the heart of patronage, political pay-offs. I don't want to see, not only political pay-offs, but bad management. I think this says something about our Administration and I think, Mr. Robinson, it all ties together, who spends five years trying to find out that fifteen percent of the work is supposed to go to minorities and women and it turns out to be less than one-half of one percent.

We need, in this Council, our own on-going fiscal analyst so that this kind of garbage, and this is garbage, that we are paying more than we should be paying or anybody else would be paying, that we have $94,000 jobs that they're going to somehow take care of. We need some help on an on-going basis. I'm glad that we're finally starting to address the issues. We talk about doing, you've talked about doing it, I've asked this Council and I've seen nothing substantive yet.

The Chair:

With your indulgence, we'll pick that up when it comes up on the agenda.

Michelle Madoff:

I want to know whether we're going to have a post agenda on this and if not, I would like to schedule one.

The Chair:

I think we owe it to you to find out about it.

Michelle Madoff:

Thank you very much.

Mrs. Masloff:

I have a motion, Mr. President. I move to televise, on Government Channel 17, the public hearing scheduled for Thursday, March 22, 1984 at 10:00 a.m., Bill No. 126 and the Mayor's Report on Military Spending.

Michelle Madoff seconded the motion.

Mr. Woods:

Opposed.

Mr. O'Malley:

I think we should check with Brother Emenecker to see if that time slot is available.

The Chair:

Subject to the cable people being available, take the roll, Mike.

Michelle Madoff:

Everything that happens in this Council and is a priority should be televised and the answer is aye.

Mrs. Masloff:

I don't think everything should be televised but I think this should be.

Michelle Madoff:

I said if it's important.

Mrs. Masloff:

It depends upon what people think is important but this should be televised. Aye.

Mr. O'Malley:

I vote aye because I think everybody has a right to know where their tax dollars are being spent, what percentage is being spent on military hardware.

Mr. Woods:

I vote no and I think everyone already knows where their tax dollars are spent; it was in the paper.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 5 NOES 2

(MR. GRABOWSKI AND MR. WOODS VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion was approved.

The Chair:

Let me just say something at this point. I think it needs to be said and I just want to make the record clean.

I think that we, before we advertise or at least put on Channel 17 any of these programs, it's not going to be depending on who puts any pressure on and who doesn't; it's going to be placed on some more logical, equal system so it applies to everyone. Let that be clear. My vote is for this at this time but in the future, as President and as a member of this Council, it will be determined by a general policy for all, equally, or for none.

Mr. O'Malley:

How are you going to do that?

The Chair:

We're going to have to set up a program. But I don't think it's fair to be denying one and then giving to the other.

Mr. Woods moved to excuse Mr. Givens for absence from the meeting.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. Woods moved to approve the minutes of Monday, March 5, 1984.

Mrs. Masloff seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Woods**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, March 26, 1984 No. 13

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, March 26, 1984

PRESENT:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

ABSENT:

Mr. Givens
Mrs. Masloff

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Robinson:

Mr. President and members of Council, it's a distinct honor and pleasure to offer this resolution today because I think it symbolizes what people can do when driven towards a positive goal and that positive goal is to participate in perhaps the finest government experiment the world has ever known, and that's American democracy.

So, I'm very honored that there are people with us today who have taken of their time and their effort, many volunteer hours, to indeed register thousands of people in our county, Allegheny County, to make a decision of their own choice as to who will represent them in years to come.

I am very honored to ask the Reverend Ralph Newell, Pastor of the Saint Paul AME Church in Beltzhoover here in our City, to come forward and accept this resolution. Reverend Newell has taken a good deal of his time as a pastor to make sure that people of all faiths and of all political persuasions have an opportunity to participate and I think that we certainly owe him a debt of gratitude for doing that and all the other organizations that worked along with him.

I'd like to read this resolution, if I might.

Mr. Robinson presents

Bill No. 518 WHEREAS, the very foundation of the Democratic process in

the United States of America is founded upon the principles of majority rule and due process; and

WHEREAS, the ultimate right of every citizen, as guaranteed by the Constitution, is to freely participate in the selection of public officials and to use the franchise to legitimately affect the decision making process; and

WHEREAS, in our City, the Pittsburgh Alliance for Voter Registration Sabbath, which includes community organizations, churches, student groups and numerous individuals, has accepted the responsibility to increase citizen participation in the voting process by conducting a massive Voter Registration Drive culminated by more than 4,000 new registrants; and

WHEREAS, special recognition should be given to Reverend Samuel Ward of John Wesley AME Zion Church, Reverend Ralph Newell of Saint Paul AME Church, Reverend Joseph McMahon of Warren United Methodist Church, Reverend Gail Buchwalter-King, and Reverend Bill Reid of the University and City Ministries for their outstanding contributions; and

WHEREAS, ACCORN, NAACP, Urban League, NOW, and Hunger Action Coalition also worked diligently in this regard.

NOW THEREFORE,

BE IT RESOLVED, that the Mayor and Council, City of Pittsburgh, does hereby recognize and congratulate the Pittsburgh Alliance for Voter Registration Sabbath for their efforts to improve the quality of the Democratic process in Allegheny County.

Mr. Robinson moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Robinson:

Before Reverend Newell makes a few comments, I'd just like to recognize some of the people who are here today who work very diligently in this effort. If they would be kind enough to stand, I'm hoping that everyone here, including my colleagues, would give them a round of applause.

The Reverend Samual Ward who is the Pastor of the John Wesley AME Zion Church; Stuart Cohen who is the Director of Planning at the Urban League of Pittsburgh; Joni Rabinowitz with the Hunger Action Coalition; Jesse Lewis who is an Executive Board Member with ACORN; David Ector, Margaret George, JoAnna Steele, Mildred Ware, Stanley Kain, and Robert Foster. Would you give them a round of applause please?

Reverend Ralph Newell:

To the President and members of City Council, indeed as I receive this certificate, this resolution, I do not receive it for myself; I am merely the spokesperson of the organization; not the president, just it's spokesperson. All the ones who you saw stand, the organizations which you have heard mentioned, all of those are the people who made it possible. We have dedicates ourselves not only to registering persons for the primary, which we have, but we're also looking toward the general election. We know that the democratic process is one which is the best process anywhere in the world; we wish to preserve it. We wish to teach others and show others how that preservation can take place and we still believe that America is one of the greatest countries

in the world. That is why we have endeavored to do what is being done, what has been done, and what will yet be done.

Thank you for the resolution.

The Chair:

Thank you.

Mr. Wagner:

Members of Council, ladies and gentlemen, today we'd like to present a resolution to a person that has served this City in an excellent fashion for approximately forty years and we'd like her to come up at this time. Mrs. Rose Luongo.

Rose, we may have a record crowd here today for a resolution. First of all, I'd like to ask you how many busses did it take to get the people here?

Mrs. Luongo:

In fairness to the senior citizens, they came on their own; we chartered no busses to bring them in today.

Mr. Wagner presents

Bill No. 519 WHEREAS, on February 24, 1984, Mrs. Rose Luongo retired from the City of Pittsburgh, Department of Parks & Recreation; and

WHEREAS, Mrs. Luongo began her 40 years of service in 1944 as a Recreation Leader I at Allegheny Dwellings, and subsequently became Acting Center Director; and

WHEREAS, in 1963 Mrs. Luongo became Central Division Area Supervisor, where she organized various City-wide programs for girls; and

WHEREAS, with all the responsibilities as Area Supervisor, Mrs. Luongo worked vigorously with the administration to provide facilities, assistance, and diversified programs for senior citizens; and

WHEREAS, as a result of her devotion in this area, Mrs. Luongo was officially made Supervisor of the Senior Citizens Program, and Project Director of the Allegheny County Area Agency on Aging; and

WHEREAS, Mrs. Luongo's conscientiousness will be greatly missed, though the spirit of her work will live on.

NOW THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City Council, on behalf of the citizens of Pittsburgh, hereby express sincere commendation and gratitude to Mrs. Rose Luongo for her 40 years of service to the City of Pittsburgh where her dedication, devotion, and sensitivity has enriched the lives of many, and this Council wishes Mrs. Luongo health and happiness in the years to come.

Mr. Wagner moved to adopt the resolution.

Mr. Woods seconded the motion.

Which motion prevailed.

Mr. Wagner:

I would just like to make one comment. This Council views this resolution not only as a tribute to Rose but also to the senior citizens of this City who she has served for many so years. We congratulate her.

Mrs. Luongo:

First I'd like to thank everybody for coming. You all know that I had a job that I was supposed to do; I loved doing it. I got paid for doing what I did but believe me, I retired but I didn't die. Nobody but nobody is going to take advantage of the senior citizens in any way, shape or form, and I don't care who it is. You people are all in a class all your own. You deserve whatever the City, County, State, Federal Goverment, gives you. I don't want you to ever feel that you're taking something away from somebody else.

I just want to cite one thing. When we first started the senior citizen program out in Homewood, I'll never forget, it was all men. They use to say to me, "Mrs. Luongo, don't invite any women here; they'll want to marry us." Now, we have men and women and the women want the men to come and the men want to be there. So, times have changed.

Also, the senior citizens have started a lot of, what would I call it, a lot of new ideas. You think the younger generation started shacking up? Forget it. I'm embarrassing my Director, Louise Brown, but she knows me, she knows I say what I have to say. The government made them do it. They started the trend because the government was going to cut their social security and who knows what else they weren't going to cut. So they decided in order to survive, they'd live together. Then the younger generation thought, well gee, that's a good thing; let's try it. So, there are a lot of things that the senior citizens started.

Also, I get a little bit tired of hearing people say, "Oh, those old senior citizens; what do they know?" Believe me, what they forgot the younger generation will never know.

Also, I'd like to bring one thing out which is very, very important. Don't ever lie to a senior citizen. They can read right through you and they know you and they'll never trust you again. It takes a long time to build up their faith and confidence but once you have it, don't abuse it.

For the senior citizens who are here, and the staff, I didn't forget you. I'm around and I know that the program will continue. I want to take this opportunity to present Mike Senko who is going to carry on this program like I did in the past. Mike, will you stand up please? He has been chosen Acting Project Director until some future date. I hope that future date never comes.

Thank you very, very much for this citation or proclamation, whatever you call it; I really appreciate it. Will I be arrested if I get copies of this made and give them to each center? I just want to make sure I don't wind up in jail for my last days. Some people have already asked if they could have a copy of this for their center; I'm going to get copies of this made for each center.

Thank you very, very much for the recognition and I love you all.

The Chair:

First of all, Rose, you can say anything today; it's your day.

Second of all, I was always afraid of getting old because I thought they said we were going to stack up.

Thirdly, I would like to commend all of you senior citizens who came here today. Too often we forget those people who have served us over the many, many years, and I think that Rose Luongo has typified the kind of person that's

dedicated themselves to doing a good job. The fact that you respond today in this little way of making her heart feel a great deal of pride, I think you're to be commended.

To Rose from all of us, long life and good health and may you always remember us. I just want to share with all of you that we extracted a promise from Rose before she even came up here and before we passed this resolution; that was that she would never be a candidate for City Council.

Michelle Madoff:

Rose, just say you changed your mind.

The Chair:

If all of you will bear with us a minute, Rose is going to go down and let's see if we can get a photograph with all the senior citizens.

While she's doing that, Louise, would you care to say a few words?

Director Brown:

Rose could never embarrass me. I have had the pure joy and delight of working with Rose since I have been Director of Parks and Recreation. It has been a fascinating experience. As you all know, Rose is a wonderful human being and her heart goes out to everyone. I just want to say that I think we're all so fortunate, be we senior citizens or not, to have had Rose for the many years in the Department of Parks and Recreation, to have had her dedication, her loyalty, and her service, and her wonderful, wonderful advocacy for the people of Pittsburgh, particularly for the senior citizens. As she said, she is not dead yet, and I am sure we will see a lot of Rose Luongo and I'm hoping that she will be back, not only Downtown, but in all the centers because I think more than anything, she's a real good friend of all of ours.

Thank you.

Mr. Grabowski for Mr. Givens presented

No. 467 Resolution amending Section No. 7 of Res. No. 971, appr. 10/27/83, eff. 11/7/83, entitled; providing for a sidewalk encroachment at 3012 Penn Avenue, in the 2nd Ward of the City of Pittsburgh by extending the time limit from 60 days to 180 days.

Also,

No. 468 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the painting of and/or materials for the P.J. McArdle Roadway and the 28th Street Bridge, at a cost not to exceed $250,000.00 chargeable to and payable from Code Account PW 84-08, 4-01-05-0002-84, Bridge Painting Program.

Also,

No. 469 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the purchase of a Nuclear Asphalt Content Gauge, used to determine the asphalt content of a particular mix design, at a cost not to exceed $7,000.00 chargeable to and payable from the Liquid Fuels Tax Trust Fund.

Also,

No. 470 Resolution vacating a portion of Ivy Street in the 7th Ward of the City of Pittsburgh from the Southerly right of way property line of Port Authority of Allegheny County East Busway for a distance therefrom of 40.28 feet in a southerly direction.

Also,

No. 471 Resolution granting unto L.D. Astorino & Associates, Ltd. their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense a sidewalk encroachment in a portion of the sidewalk of Liberty Avenue at Market Street in the 1st Ward, City of Pittsburgh.

Also,

No. 472 Resolution granting the Port Authority of Allegheny County the license and privilege to construct, maintain and use certain wall structures encroaching on and under a portion of Ravenna Street in the 7th Ward, City of Pittsburgh.

Also,

No. 473 Resolution granting the Port Authority of Allegheny County the license and privilege to construct, maintain and use a certain portion of the East Busway Roadway together with drainage facilities encroaching on and under a portion of Millvale Avenue in the 8th Ward, City of Pittsburgh.

Also,

No. 474 Resolution granting the Port Authority of Allegheny County the license and privilege to construct, maintain and use a certain portion of the East Busway Roadway together with drainage facilities encroaching on and under a portion of South Negley Avenue in the 7th Ward, City of Pittsburgh.

Also,

No. 475 Resolution granting the Port Authority of Allegheny County the license and privilege to construct, maintain and use a portion of Ramp B of the East Busway encroaching on a portion of Penn Avenue in the 7th Ward, City of Pittsburgh.

Also,

No. 476 Resolution granting the Port Authority of Allegheny County the license and privilege to construct, maintain and use a certain portion of the East Busway roadway together with drainage facilities and lateral slope support encroaching on and under a portion of Tay Way in the 7th Ward, City of Pittsburgh.

Also,

No. 477 Resolution vacating a portion of Summerlea Street in the 7th Ward, City of Pittsburgh, from the Southerly right-of-way property line of Port Authority of Allegheny County East Busway for a distance therefrom of 48.27 feet in a Southerly direction.

Also,

No. 478 Resolution vacating a portion of College Avenue in the 7th Ward of the City of Pittsburgh from the southerly right of way property line of Port Authority of Allegheny County East Busway for a distance therefrom of 44.27 feet in a southerly direction.

Also,

No. 479 Resolution vacating a portion of an Unnamed Way at Pierce Street in the 7th Ward of the City of Pittsburgh from the southerly right of way property line of Port Authority of Allegheny County East Busway for a distance therefrom of 20.31 feet in a southerly direction.

Also,

No. 480 Resolution vacating a

portion of North Lang Avenue in the 13th Ward of the City of Pittsburgh from the Northerly right of way property line of Port Authority of Allegheny County East Busway for a distance therefrom of 49.19 feet in a southerly direction.

Which were severally read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 481 Communication from George W. Jacoby, Director, Dept. of General Services, requesting authorization for Frank O'Black to attend a Network Switching Symposium Seminar held by Bell Atlantic in New York City, on March 22, 1984, at a cost not to exceed $250.00 payable from Code Account No. 1128, Misc. Services, Dept. of General Services.

Which was read and referred to the Committee on General Services.

Michelle Madoff presented

No. 482 Resolution authorizing members of Pittsburgh City Council to submit travel requests for their Aides to attend various workshops, seminars and conferences. **—(SPONSORED BY MICHELLE MADOFF)**

Which was read and referred to the Committee on Finance.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Also,

No. 483 Resolution authorizing directing the Director of the Dept. of Public Works to broadcast on the City of Pittsburgh's Government Channel all of Council's Post Agenda Meetings, which take place immediately following the Standing Committee Meetings of Council. **—(SPONSORED BY MICHELLE MADOFF)**

Also,

No. 484 Resolution authorizing Pittsburgh City Council to determine which Public Hearings are of substantive value to the residents of the City of Pittsburgh and therefore which Public Hearings shall be broadcasted. **—(SPONSORED BY MICHELLE MADOFF)**

Which were read and referred to the Committee on Public Works.

Mr. O'Malley presented

No. 485 Resolution providing for a Contract or Contracts from time to time in connection with the demolition and removal of condemned buildings, at a cost not to exceed $400,000.00 chargeable to and payable from FD 84-01 (4-27-10-0005-84), (Index Code 360057) Demolition and/or Sealing of Condemned Buildings, Including Site Restoration and Boarding and Party Walls.

Also,

No. 486 Communication from Glenn M. Cannon, Director, Emergency Medical Services, requesting authorization for G. J. Burgman to view and evaluate the computer assisted emergency communications system of the City of Chicago on March 7 and 8, 1984, at a cost not to exceed $750.00 payable from EMS Non-Resident Trust Fund (EMNEAS). Prior approval granted

by Council.

Which were read and referred to the Committee on Public Safety.

Mr. Robinson presented

No. 487 Resolution approving a Conditional Use under Section 993.01(a)A(12) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, for a major grading and filling operation on property fronting on WEST LIBERTY AVENUE and STETSON STREET, 19th Ward.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 488 Resolution approving a Conditional Use under Section 993.01(a)A-44 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended for authorization to occupy the existing structure located at 130 S. FAIRMOUNT STREET as a Group Care Facility to be used by George Hummel, owner for the treatment of 17 adult male clients recovering from alcohol and drug dependency, with supervision, on property zoned "R4" Multiple-Family Residence District, 8th Ward.

Also,

No. 489 Resolution providing for the filing of a Community Development statement by the City with the U.S. Dept. of Housing and Urban Development for a grant in connection with the 1984 Community Development Block Grant Program; for the execution of Grant Contracts and for the filing of other data; for required assurances; execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; providing for the deposit of the funds in a bank account and providing for the payment of expenses within categories.

Also,

No. 490 Resolution approving execution of Contracts by and between the URA and various Redevelopers for the sale of properties in the 3rd, 5th, 12th, and 13th Wards — Residential Land Reserve Fund. (Urban Homesteading Rehabs.)

Also,

No. 491 Resolution approving Contracts by and between the URA and various Redevelopers for the sale of properties in the City of Pittsburgh — Property Management and Maintenance Program and Residential Land Reserve Fund. Certain properties in the 13th and 20th Wards for $1.00 per lot. (PMMP Sideyard Sale).

Also,

No. 492 Resolution approving Contracts by and between the URA and various developers for the sale of properties in the City of Pittsburgh — Property Management and Maintenance Program and Residential Land Reserve Fund. $100.00 per lot in the 10th Ward (PMMP Sideyard Sale).

Also,

No. 493 Resolution authorizing the URA of Pittsburgh to transfer property in the 7th Ward of the City of Pittsburgh designated as Parcel 3A-1 from the Residential Land Reserve Fund to the Industrial Land Reserve Fund.

Also,

No. 494 Resolution approving execution of a Disposition Contract by and between the URA and Eugene Howell for the sale of Block 10-J Lot 19 and Part of Lot 22 in the 5th Ward of the City of Pittsburgh for $10,000.00 - Neighborhood Housing Fund. (25 Davenport Street) (Resale for Rehabilitation).

Also,

No. 495 Resolution approving the sale of Parcels 84, 88, and 166 (1422 and 1420 Rush and 1104 Warlo) in the 21st Ward of the City of Pittsburgh by and between the URA and Grane Associates for $520.00 — Redevelopment Area No. 27. (Parking).

Also,

No. 496 Resolution approving execution of a Disposition Contract by and between the URA and Grane Associates for the sale of Block 22-R part of Lot 186 in the 21st Ward — Residential Land Reserve Fund (1108 Bidwell Street) Sale in the amount of $1,020.00. (Parking).

Also,

No. 497 Communication from Robert H. Lurcott, Director, Dept. of City Planning, requesting authorization for himself and Caroline Boyce to attend a meeting of the Advisory Council on Historic Preservation concerning the Stanley Theatre UDAG Project in Washington, D.C., on March 30, 1984, at a cost not to exceed $525.00 payable from 1983 CDBG Program, Dept. of City Planning Administration, (CDPA) Project No. 4-35-01-0012-83-49-83-35.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 498 Resolution providing for the issuance of a warrant in favor of Sciulli Brothers, Inc., (Michaelangelo Sciulli, President) of 3718 Dawson Street, Pgh., PA 15213, in the amount of $4,850.00 in payment for Extra Work, being in addition to the original contract price of $195,002.00, on Controller's No. 26619, furnished for the benefit of the City in connection with Relay of Waterlines on Edwin Street, Dalton Avenue, and Doak Way, chargeable to and payable from Code Account No. WD 83-22, 4-05-15-0100-83, Edwin Street 12' Relay/Dornestic to Lapish.

Also,

No. 499 Resolution providing for the issuance of a warrant in favor of Mosites Construction Company (S. T. Mosites, President) in the amount of $2,000.90 in payment for interest on the final payment for the Larimer Avenue Bridge Project, chargeable to and payable from Code Account No. PW 84-38, 4-01-30-0001-84, Miscellaneous Repairs to Streets and Structures.

Also,

No. 500 Resolution providing for the issuance of a warrant in favor of the American Painting Company (Nick Chirigos, President), in the amount of $6,049.00 in payment for Extra Work, being in addition to the original contract

price of $231,500.00 on Controller's Contract No. 26426, furnished for the benefit of the City in connection with the Rehabilitation of the Robert McAfee Bridge, Phase 2, chargeable to and payable from Code Account No. PW 82-14, McAfee Bridge Painting.

Also,

No. 501 Resolution providing for the issuance of a warrant in favor of VIN Construction Company, Inc., (V. A. Manfredi, Jr., President), in the amount of $39,212.00 in payment for Extra Work, being in addition to the original contract price of $949, 700.00 on Controller's Contract No. 26482, in connection with the general contract for the renovation of Phipps Conservatory, Phase I, the Fern and Victoria Regia Rooms, payable from Phipps Conservatory, Rehabilitation of Structure. Prior approval by Council Bill No's. 3389, dated July 27, 1983, No. 3607, dated Sept. 15, 1983, & No. 4192, dated Dec. 22, 1983.

Which were severally read and referred to the Committee on Finance.

Also,

No. 502 Resolution providing for an Agreement or Agreements with Robert W. Hunt Company (Daniel V. Biank, P.E., General Manager) for Professional Engineering Service in connection with the Bloomfield Bridge Phase 3, at a cost not to exceed $130,000.00 chargeable to and payable from the Bloomfield Bridge Trust Fund.

Also,

No. 503 Resolution repealing Res. No. 1122, eff. Nov. 12, 1981, entitled, "Providing for a Contract or Contracts or the use of existing Contracts for the refurbishing of Lee School Recreation Center", at a cost not to exceed $70,000.00 chargeable to and payable from Project Code 4-10-06-1401-81 (PR81-12) Lee School Refurbishing for a Recreation Center.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Woods presented

No. 504 Resolution providing for the issuance of warrants in the aggregate amount not to exceed $17,980.00 in favor of persons who provide professional proctoring and coordinating services for the benefit of the City in connection with the administration of the Dept. of Personnel and Civil Service Commission's 1984 Firefighter Performance Examination on April 25, 26 & 27, 1984, payable from Code Account No. 1100, Misc. Services, Dept. of Personnel & Civil Service Commission.

Also,

No. 505 Resolution providing for the issuance of a warrant in favor of Rosenberg, Kirschner & Kaleugher, in the amount of $2,612.00 in payment for additional services furnished for the benefit of the City in connection with the litigation of various lawsuits. Changing original contract amount from $30,000.00 to $32,612.00 to represent the George Transportation Company cases, payable from Code Account 1075, Misc. Services, Dept. of Law.

Also,

No. 506 Resolution transferring the sum of $200,000.00 Unrestricted Cash, Bond Fund, from the Dept. of Public Works to the Dept. of Fire for demolition purposes.

Also,

No. 507 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at a tax sale in accordance with Act No. 514 of 1947 as amended.

Also,

No. 508 Communication from Stephen A. Schillo, Deputy Director, Dept. of Finance, requesting interim approval to make payment of $2,846.11 to Best Business Forms Company for additional work on certain tax forms made necessary to comply with certain United States Postal Service Mailing Regulations, payable from Code Account No. 1063, Misc. Services, Dept. of Finance.

Also,

No. 509 Communication from Stephen A. Schillo, Deputy Director, Dept. of Finance, requesting interim approval to make payment of $1,024.80 to R & W Forms for certain printing alterations and new printing plates on 1983 City tax forms made necessary by revision of tax forms and instructions, payable from Code Account No. 1063, Misc. Services, Dept. of Finance.

Also,

No. 510 Communication from Dante Pellegrini, City Solicitor, Dept. of Law, submitting a report summarizing settlement claims not exceeding $750.00 for the Fourth Quarter of 1983, payable from Code Account No. 1801, Petty Claims. Also, submitting a report summarizing settlement claims in excess of $750.00 for the Fourth Quarter of 1983, payable from Code Account No. 46, Judgments.

Also,

No. 511 Communication from George Whitmer, Chairman, Stadium Authority, City of Pittsburgh, submitting the 1984/1985 Operation Budget for the Stadium Authority of the City of Pittsburgh.

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 512

Report of the Committee on Finance for March 21, 1984 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 300

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, "Fiscal", Article VII, "Business Related Taxes", Chapter 255, "Realty Transfer Tax", Section 255.01, Subsection (f) and also amending Title Two, Article VII, Chapter 256, "Home Rule Realty Transfer Tax", Section 256.01, Subsection (f) by changing the manner of determining the value of an interest in real property which is the subject of a gift or of any other transfer without consideration."

Which was read.

Also,

Bill No. 352

Resolution repealing Resolution No. 31, approved February 2, 1984, which

repealed Item K of Resolution No. 506, approved July 1, 1983 for the sale of house located at 80 Henderson Street, 25th Ward, Block and Lot 23-G-275, to Mark Farester, for the sum of $2,700.00. Resolution is to reinstate the former sale.

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 413

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of The Perkin-Elmer Corporation, Citibank NA WCGSM, Sort 2539, New York, New York, 10043 in the amount of $422.00 in payment for repair of an Atomic Absorption Spectrophotometer furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 421

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Spinello Limited, Inc. (Charles A. DiNardo, Vice President), P.O. Box 4282, Pittsburgh, Pennsylvania 15203, in the amount of Forty Nine Thousand Nine Hundred Seventy Five ($49,975.00) Dollars, in payment for an Emergency Contract furnished for the benefit of the City in connection with the repair of a major break on 24" Rising Main and replacement of a 24" check valve on Toboggan Street without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 422

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of R & R Mechanical (Ronald Fortunato, President) in the amount of $387.68, in payment for Extra Work, being in addition to the original contract price of $49,870.00 on Controller's Contract No. 26305, furnished for the benefit of the City in connection with the construction of No. 42 Fire Station, Chestnut Street; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 445

A Resolution entitled, "Resolution providing for the lease of certain property on the sixth floor of the Golden Triangle YMCA Building, 1st Ward, from March 26, 1984 to September 30, 1984, to house the operation of the City JTPA Summer Youth Employment Program, upon certain terms and conditions, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 452

A Resolution entitled, "Resolution further amending Resolution No. 285, approved March 31, 1982 and effective April 5, 1982, as previously amended by Resolution No. 160, approved February 28, 1983 and effective March 7, 1983, entitled, 'Resolution providing for an agreement or agreements for professional services in connection with the Clean Community System Program of Keep America Beautiful, Inc. and providing for the payment of the cost thereof', by providing for an increase in the appropriation therefor from Seventy Thousand ($70,000.00) Dollars to One Hundred Five Thousand ($105,000.00) Dollars."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski for Mr. Givens presented

Bill No. 513

Report of the Committee on Public Works for March 21, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 398

A Resolution entitled, "Resolution vacating a portion of Maryland Avenue in the 7th Ward of the City of Pittsburgh from the southerly right-of-way property

line of Port Authority of Allegheny County East Busway for a distance therefrom of 34.90 feet in a southerly direction."

Which was read.

Also,

Bill No. 399

A Resolution entitled, "Resolution vacating a portion of Ridgway Street in the 6th Ward of the City of Pittsburgh from the southerly right-of-way property line of Port Authority of Allegheny County East Busway for a distance therefrom of 55.00 feet in a southerly direction."

Which was read.

Also,

Bill No. 400

A Resolution entitled, "Resolution vacating a portion of Ruthven Street in the 6th Ward of the City of Pittsburgh from a point 380 feet East of the easterly right-of-way line of Finland Street for a distance of 943.64 feet therefrom in an easterly direction to the right-of-way property line of Port Authority of Allegheny County East Busway."

Which was read.

Also,

Bill No. 401

A Resolution entitled, "Resolution vacating a portion of 33rd Street in the 6th Ward of the City of Pittsburgh from the southerly right-of-way property line of Port Authority of Allegheny County East Busway for a distance therefrom of 68.67 feet in a southerly direction."

Which was read.

Also,

Bill No. 402

A Resolution entitled, "Resolution granting the Port Authority of Allegheny County, its successors and assigns the license and privilege to construct, maintain and use a bridge structure over a portion of East Liberty Boulevard (Dahlem Street) in the 12th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 403

A Resolution entitled, "Resolution granting the Port Authority of Allegheny County, its successors and assigns the license and privilege to construct, maintain and use a bridge structure over a portion of North Homewood Avenue in the 13th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 404

A Resolution entitled, "Resolution granting the Port Authority of Allegheny County the license and privilege to construct, maintain and use a certain portion of the East Busway roadway together with drainage facilities encroaching on and under a portion of South Graham Street in the 7th Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 405

A Resolution entitled, "Resolution granting the Port Authority of Allegheny County the license and privilege to construct, maintain and use a certain portion of the East Busway roadway together with drainage facilities encroaching on and under a portion of South Aiken Avenue in the 7th Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 406

A Resolution entitled, "Resolution granting the Port Authority of Allegheny County the license and privilege to construct, maintain and use certain wall structures encroaching on and under a portion of Brownell Street in the 7th Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 407

A Resolution entitled, "Resolution granting the Port Authority of Allegheny County the license and privilege to construct, maintain and use a certain portion of the East Busway roadway together with drainage facilities encroaching on and under a portion of Centre Avenue in the 7th and 8th Wards, City of Pittsburgh."

Which was read.

Also,

Bill No. 408

A Resolution entitled, "Resolution granting the Port Authority of Allegheny County the license and privilege to construct, maintain and use a certain portion of the East Busway roadway together with drainage facilities encroaching on and under a portion of Baum Boulevard in the 8th Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 409

A Resolution entitled, "Resolution granting unto Walter Brahler, 1416 Beckham Street, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a driveway in a portion of a paper street, Stokes Way, in the 27th Ward of the City of Pittsburgh."

Which was read.

Michelle Madoff:

I wonder if the Clerk would please give me some of the dates of the checks on the back of those bills?

Mrs. Johnson:

October 12, 1983. They're all October 12, 1983.

Michelle Madoff:

I don't understand that. Are they cashed checks?

Mrs. Johnson:

No, not yet.

Michelle Madoff:

Would you care to comment?

The Chair:

They're not cashed yet.

Michelle Madoff:

That's my point. Why weren't they in the bank drawing interest? October, November, December, January, February, March. I thought you had a lock box —

The Chair:

Which bill are you talking about?

Michelle Madoff:

All of them have checks attached.

The Chair:

After we approve it, they have the money in front to go out and advertise.

Michelle Madoff:

Why didn't we put the money in the bank to draw interest anyway? That was what you have a lock box for. The money can be refunded. This is what they found —

The Chair:

That's one of those peculiar quirks in government. There's a logical way and the way the government does it.

Michelle Madoff:

You mean it's close enough for government work? Is that the concept?

The Chair:

No. They don't use the check — They don't take out of one person's account and put it in the other person's account and then be accountable for interest.

Michelle Madoff:

If the check draws interest —

The Chair:

It will stay where it's at and draw it's own interest in the account from which it has not yet been withdrawn.

Michelle Madoff:

The whole concept of a lock box is to keep records and put the checks in right away.

The Chair:

This is not that situation.

Michelle Madoff:

I understand but all checks should be deposited.

The Chair:

The lock box is basically our money as opposed to getting money in advance to create an escrow account from which you now have a responsibility to gain interest from it, from which you now owe an accounting back to the parties whose monies you have receive prematurely.

Michelle Madoff:

What we're talking about, Mr. Stone, is issuing a check as a refund if we don't accept it. Is there going to be one check issued as a refund out of that?

The Chair:

These have time levels which is a problem, Michelle.

Michelle Madoff:

The problem is that it's October, November, December, January, February, March, and that money should have been in the bank. What amounts are they?

The Chair:

The City has not and will not lose money on this deal.

Michelle Madoff:

How much money is there?

Mrs. Johnson:

Seventy-five dollars.

Michelle Madoff:

Each check is $75.00? I'd like to know how many $75.00 checks haven't been deposited when they could be drawing interest.

The Chair:

But they're still drawing interest in the bank account of the person whose money it belongs to until it's finally acquired by us.

Michelle Madoff:

We have the check; we should deposit it.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

Bill No. 514

Report of the Committee on Planning, Housing and Development for March 21, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 189

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of One Million Eight Hundred Fifty-Nine Thousand Eight Hundred ($1,859,800.00) Dollars to the Pennsylvania Department of Community Affairs for the J & L Project."

Which was read.

Mr. Wagner:

I'd like my comments brought forward for the record on Bill No. 189, pertaining to the J & L complex. That bill was in Committee twice and I'd appreciate it if the City Clerk would find out what dates those comments were

made and bring them forward.

(BEGINNING - MR. WAGNER'S REMARKS ON BILL NO. 189 - WEDNESDAY, 3/14/84)

Mr. Wagner:

Discussion. We requested, as a Council, several weeks ago, to determine in the development of the J&L site as an industrial park whether or not in that development there has been consideration given to exit ramps from the Parkway East coming from west to east, and entrance ramp going back onto the Parkway. I feel that is paramount in the development of this site. Have we found anything out about that to date?

MR. ROBINSON COMMENTS

Mr. Wagner:

What are we looking at in terms of a date to be actually building the facility?

MR. ROBINSON COMMENTS

Mr. Wagner:

Is it correct to say, in the reconstruction of the Parkway East — I believe that area of the Parkway East will be reconstructed this year — there will not be any consideration or any type of ramp installed with that reconstruction?

THE CHAIR COMMENTS

Mr. Wagner:

Just to mention for a moment the problem with the J&L site, it has always been a problem, even when it was an operating steel mill. In order for trucks to go from east to west, they had to exit the Parkway at the Boulevard of the Allies and go around the Public Safety Building to get back onto the Parkway East.

THE CHAIR COMMENTS

Mr. Wagner:

We all know the traffic jams that have existed in Downtown Pittsburgh due to the lack of having proper ramps at the J&L site, and I think by us beginning to address this problem at this time we can properly institute it into the development of the site, if, in fact, it is going to take five or ten years to develop.

(END - MR. WAGNER'S REMARKS ON BILL NO. 189 - WEDNESDAY, 3/14/84)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 333

A Resolution entitled, "Resolution

approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and John McGoogan for the sale of Block 4-H, Lot 30 in the Eighteenth Ward of the City of Pittsburgh. (RESALE FOR REHABILITATION)"

Which was read.

Mr. Wagner:

I vote no on this bill and I'd like my comments from last Wednesday's meeting put into the record on Bill No. 333 pertaining to the review of the property at 168 Arlington Avenue. I think the Urban Redevelopment Authority should be looking into acquisition of that land and marketing that land at a higher price than they presently are.

(BEGINNING - MR. WAGNER'S REMARKS ON BILL NO. 333 - WEDNESDAY, 3/7/84)

Mr. Wagner:

Mr. President, I have some concerns regarding this and I think someone from the URA should be here.

I would like to state that one of the concerns that the residents had was that the property was appraised by the URA and in that appraisal they indicated that this property is worth approximately $4,500.00. I have some questions pertaining to this appraisal. As a matter of fact, the appraisal is in error in view of the piece of property itself — the land is at $250.00.

Yesterday afternoon we went out to the property, and I'd like to pass this around to each member of Council, and took photos of the property and viewed the property in the City of Pittsburgh. This property has an unbelievable majestic view.

MR. STONE COMMENTS

Mr. Wagner:

It's right below the Liberty Bridge and approximately a block and one-half from Station Square. Slightly 150 feet above the road (Sycamore). An appraisal was made of the property and as I indicated, it would be good if someone were here from URA because they made the appraisal and I don't know how they can assess this piece of land at $250.00 when it has such a view of the City of Pittsburgh. The property no doubt is not worth more than as indicated on the appraisal which is approximately $4,000.00.

I personally think that the taxpayers of the City of Pittsburgh are being cheated by us moving to sell this property at this time, rather than the total sale of the property being $6,600; it should be three or four times that amount.

As we all know, there is a tremendous development going on in the area and I spoke with Mr. McDermott this morning and he indicated that the new Sycamore Street which will lead to Mt. Washington will be completed in the fall. We know that the Liberty Bridge was reconstructed and know that the new LRT system is only one block away and the Grand Concourse Restaurant and Station Square is a block and one-half away and Arlington Avenue is going to be rebuilt, so this property has tremendous advantages. I think it would be remiss for this Council to move to sell the property. This has nothing to do with the individual that is attempting to purchase the property. I feel the error here is in the procedure which exists within the Urban Redevelopment Authority to

appraise this property.

I'd like to just state a couple of other comments here. I don't know if anvone knows where Hartford Street is, Excelsior Street or Gassell Street, but in making an appraisal, they evaluate a piece of property based on similar properties of its type.

Mr. Brophy, we have before us Bill No. 333, Arlington Avenue being sold for $6,600.00. I also have here in front of me a copy of the appraisal done by the URA and a Mr. Vernon Brown and I was out at the property yesterday and we took some photos of the property and the view of the City of Pittsburgh and it's an unbelievable view. This appraisal, the land value of the property was appraised at $250.00. I personally think that that is a tremendous error on the part of the appraiser or not. How he reached that figure I don't know. He compared this piece of property with three other properties, Hartford Street, one of Excelsior Street and one on Gassel Street. Are you aware of where those streets are and whether or not they have a view of the City?

Paul Brophy
Executive Director
Urban Redevelopment Authority:

I'm not aware of it.

Mr. Wagner:

To my knowledge, they do not have a view of the City and how he can compare and come up with a dollar figure based on comparing with homes that do not have a view, I do not know. I think the appraisal of the property itself is accurate but the land is not.

Just to summarize what I have been stating while you were out in the hall, I think the City would be remiss to sell this property or the Urban Redevelopment Authority while we are involved in rebuilding that total area, around Arlington Avenue. The value of this property is far, far greater than what is indicated. I personally would go out and buy this property today — I'd go to the bank today and get a loan to buy it for double the cost.

Director Brophy:

May I just clarify one thing? In order to answer the question on this particular property, I need to take two minutes to simply describe the intake process for this property. This comes to us through the Vacant Property Review Committee which is a committee which is in business to review properties outside of redevelopment areas that are blighted and after declaring them blighted and after appropriate notification to the owner, we are able to acquire the property and sell it. The way the Vacant Property Review Committee operates is that we typically don't go out and simply pick up properties, but very often and typically what will happen is an individual will come to us having contacted the private owner of the property and not being able to find that owner typically because it's an estate or it's got a title that is very encumbered and approaches us and says that he is interested in buying this property and our general arrangement is that if we proceed to acquire the property, we will sell the property for the appraised value plus our costs of the transaction which in this case is $6,600. We did not own this property and in fact still do not own this property because we have not filed a declaration of taking. Our purpose here is to remove blight. We are in a situation where we have someone who has approached us that says in effect that no carrying costs to the Redevelopment Authority on this property since he is paying an appraised

value which we would have to put into court to pay the owner should the owner ever show up, and the carrying costs, they will take this property and rehabilitate it. So we are facilitating that transaction; we're not in a position because we never owned the property in the first place. And to give you that context — in order to help explain why I think in this instance the appraised value for the carrying costs seems to us to be the fair price on this property because the purpose here is not for us to make money on the sale of property, but to get the property out of its blighted condition and get it rehabilitated.

Mr. Wagner:

All right, I understand that but when it comes to the appraisal, how do we reach the figure of $250.00; the value of this land?

Director Brophy:

Mr. Brown is a professional appraiser and we use a range of professional appraisers at the Authority and frankly I'm not in a position to second guess but he is appraising what he considers to be comparable property in the area.

Mr. Wagner:

So we then view the property with a view to a higher degree than the property that does not have a view of our City.

Director Brophy:

I don't know the answer to that.

Mr. Wagner:

Well, is it possible for the URA to consider reselling the property at a future date and possibly various other properties along Arlington Avenue area to assure this City, with all of the government funds that are going into the immediate area that the properties themselves will be developed in the manner which will enhance the area?

Director Brophy:

Legally we could do it, although from a practical viewpoint I would have to ask the question, "Should we?" We are limited but I am willing to pay you an appraised value of your cost. I think, one, if we took on a policy or someone approached us and we began the process with the individual and then toward the tail end of the process went out for bid, I think we would not have to rehabilitate because we would not have a failure.

MICHELLE MADOFF COMMENTS

Director Brophy:

We don't own the property.

MICHELLE MADOFF COMMENTS

Director Brophy:

Michelle, we are not in the business of advertising.

MICHELLE MADOFF COMMENTS

Director Brophy:

Michelle, you don't understand. He can't buy it from the current owner because the current owner is not to be found.

MICHELLE MADOFF COMMENTS

Director Brophy:

If Council will appropriate the funds we can do that. We didn't have the $6,600 to buy it and hold it.

MICHELLE MADOFF COMMENTS

Mr. Wagner:

I wasn't aware of the fact that this was an abandoned owner. The property should be advertised and if anvone in the City is a higher bidder they should be able to purchase the property. There is a tremendous volume here for the citizens to benefit from selling the property and I don't think we are taking advantage of it.

MICHELLE MADOFF COMMENTS

Mr. Wagner:

One last point. Is it possible for the Urban Redevelopment Authority to purchase the properties along this section of Arlington Avenue — either to hold the properties and wait until development arrangements can be made, or the LRT system is completed and resell it for a profit?

Director Brophy:

The only answer to that is that all of the properties that are currently there are vacant and clarified as blighted and in order to take any property that is not vacant, we would have to certify this area as blighted and then go for the acquisition of the properties and a new redevelopment area would be established by City Council and by the Redevelopment Authority. Short of that, we don't have the legal right to take by condemnation any properties that are in that area.

Mr. Wagner:

If the area is blighted, if that were to happen, what procedure do you have to sell this property, or do you have the right to sell it then?

Director Brophy:

Yes, we can do that.

Mr. Wagner:

Then I think its to our benefit and to the City's to obtain it and to resell it at some point in the future and to make a profit.

THE CHAIR COMMENTS

Director Brophy:

If they are occupied we don't do it. We would have to certify the area as a redevelopment area and come to Council and explain that.

THE CHAIR COMMENTS

Director Brophy:

There are approximately one dozen homes at least.

James Brown
Zoning Coordinator
Department of City Planning:

We have started within the last month receiving permits to rehabilitate the private homes. The people that do own there intend to rehabilitate them and we intend to see more activity within the next year. They are private individuals now.

Mr. Wagner:

Several of those homes are vacant and abandoned and boarded up.

MICHELLE MADOFF COMMENTS

Mr. Brown:

I don't know if they are all privately owned and I anticipate that a

few of them will be rehabilitated and used for residential purposes.

Mr. Wagner:

Mr. Brown, do you think that we are acting prematurely here in terms of not evaluating that entire block and one-half to determine which ones are abondoned and which ones can be resold at a bid price and a profit can be gained?

Mr. Brown:

Probably a quick study would indicate which properties are privately owned and which ones are publicly owned and which publicly-owned properties are worth rehabilitating. If you can determine that, then the property would be worthwhile in the area such as a smaller area.

(END - MR. WAGNER'S REMARKS ON BILL NO. 333 - WEDNESDAY, 3/7/84)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 6 NOES 1

(MR. WAGNER VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 419

A Resolution entitled, "Resolution amending Resolution No. 1133, approved December 9, 1983, entitled, 'A Resolution approving a Conditional Use under Section 993.01(a)A7 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the Public Parking Authority of the City of Pittsburgh, for authorization to construct a two-story 73 stall parking garage on property having 24.00 feet of frontage on the westerly side of Murray Avenue and 77.47 feet of frontage on the northerly side of Darlington Road, 14thWard.', by deleting Section 2." (SPONSORED BY MR. STONE)

Which was read.

Also,

Bill No. 420

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Bloomfield-Garfield Corporation for the implementation of a neighborhood-based residential real estate marketing office."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 515

Report of the Committee on General Services for March 21, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 411

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of play equipment for the Bureau of Maintenance, Department of Parks and Recreation, and for the payment thereof."

Which was read.

Mr. Grabowski:

I'd just like the record to indicate that Mrs. Masloff was the one that presented that bill and not Mr. Grabowski.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with a **NEGATIVE RECOMMENDATION**

Bill No. 414

A Resolution entitled, "Resolution requesting the Pennsylvania State Police to inspect City vehicles involved in accidents." (SPONSORED BY MICHELLE MADOFF)

Which was read.

The Chair:

In order not to confuse you, if you're in favor of the State Police doing the inspection just vote aye. If you want to vote the same way you did last Wednesday, vote no. We're just voting on the bill rather than getting into a lot of mental gymnastics as to how we get around the negative recommendation.

Michelle Madoff:

May I make a comment on the bill before we vote? I think it's important to remember that there are going to be

probably thirteen lawsuits from the people hit by the City truck delivering the refuse to our dump site. That was out of the City area; Turtle Creek area, as a matter of fact. I think it's really distressing that since we, the taxpayers, are the underwriters, we don't have insurance, we are the insurers of the damages that are done, to prove that there is no negligence. By having the State Troopers come in as I did on that particular vehicle, and incidentally, they were in on another refuse truck the same day because there were icy conditions in Turtle Creek, they stated that there was no negligence, that our truck was in superb condition, and the police officer on duty in Turtle Creek also stated that the vehicle involved was not remiss and was not negligent and that indeed it was weather conditions.

I think when a jury or a judge is awarding damages on negligence it is generally, I think we would all agree, a lot higher than when there is no negligence. This is a way of saving the City a lot of money. If we had not had proof that there wasn't negligence, who knows what the claims could end up being. I think that we're being very foolish if we don't support this bill.

Mr. Grabowski:

Before I vote I want to be sure; if I am against this legislation —

The Chair:

Vote no.

Mr. Grabowski:

I vote no.

The Chair:

I vote no and I request my remarks from last Wednesday to be brought forward.

(BEGINNING - MR. STONE'S REMARKS ON BILL NO. 414 - WEDNESDAY, 3/21/84)

Mr. Stone:

Discussion, if I may.

Number one, I don't think the State Police are going to do it. And now we are talking about a general, across the board thing.

Secondly, if it is done and because of the political levels, I think it brings in somewhere in the future, the possibility of a political opinion.

Thirdly, since it involves a potential lawsuit, it would appear to me that we should not have anyone but our own people inspecting our vehicles so that we can prepare our case in the form that best befits the City of Pittsburgh.

That is not intended to put a blanket approval to cars that are in violation, so that we understand it.

(END - MR. STONE'S REMARKS ON BILL NO. 414 - WEDNESDAY, 3/21/84)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff	Mr. Robinson
AYES 2	NOES 4

VOTING NO:

Mr. Grabowski	Mr. Wagner
Mr. O'Malley	Mr. Stone
	(Pres't)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Mr. O'Malley presented

Bill No. 516

Report of the Committee on Public Safety for March 21, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 415

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Dick Corporation/Dick Enterprises to provide the services of off-duty police officers for security in connection with the reconstruction of the Parkway Central; and providing for reimbursement to the City of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 5 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 517

Report of the Committee on Engineering and Construction for March 21, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 343

A Resolution entitled, "Resolution amending Resolution No. 464, approved June 14, 1983, effective June 24, 1983, entitled, 'Providing for an Agreement or Agreements with D'Appolonia Consulting Engineers, Inc., for Professional Engineering Services in connection with the Short-term Stabilization of Rock Cut Slope above East Sycamore Street; and providing for the payment of the cost thereof,' by providing for a Supplemental Agreement or Agreements and increasing the total project allocation by $8,000.00."

Which was read.

Also,

Bill No. 423

A Resolution entitled, "Resolution taking, appropriating and condemning, by the City of Pittsburgh, for public

highway purposes 15-foot of property known as Block and Lot No. 23-J-174 in the Twenty-fifth (25th) Ward, City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 5 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Grabowski:

Mr. President, yesterday there was a banquet honoring these individuals and Councilman Woods and I were in attendance. We actually made the presentation to these people at that point; we felt it would be more appropriate. They were very grateful that Council did recognize them. Also, we had the City Clerk receive prior approval from the majority of the members of Council.

Michelle Madoff:

It was done on interim approval.

The Chair:

The Chair recognizes that you're proposing two worthy persons and, therefore, this Council could not possibly vote against it.

Mr. Grabowski:

I didn't think so.

Mr. Grabowski presents

Bill No. 520 WHEREAS, on March 25, 1984, Helen Migalic was honored for her over fifty years of service to the Croation Fraternal Union by Pioneer's Lodge No. 1; and

WHEREAS, Helen Migalic, having served 11 years as Nest manager for the Pioneers during her many years of unselfish dedication to the organization; and

WHEREAS, in addition to Helen Migalic's service to the Pioneers, she served terms as Treasurer and President in the Ladies Auxiliary of the Croation Center; and was most active in the Lodge's Western Pennsylvania activity, as well as serving as National Delegate to the 1971 convention; and

WHEREAS, Helen Migalic's zeal, enthusiasm and unending labors have resulted in happiness, growth, and opportunities for members of the Croation Fraternal Union, as well as residents of the City of Pittsburgh.

NOW THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of the Council of the City of Pittsburgh, on behalf of the citizens of Pittsburgh, hereby recognize and salute Helen Migalic for her "50 plus" years of distinguished service and loyalty to the Croation Fraternal Union

where she displaved sincere dedication in cultivating high social, moral standards and ethnic awareness, and wish Helen Migalic further happiness and richness in her years to come.

Mr. Grabowski moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Also,

Bill No. 521 WHEREAS, on March 25, 1984, Louis Z. Marohnic was honored for his over fiftv years of service to the Croation Fraternal Union by Pioneer's Lodge No. 1; and

WHEREAS, Louis Z. Marohnic, being the son of the late Joseph Marohnic, a most respected past-president and builder of Lodge No. 1, serves the Society and Lodge as their legal counsel; and

WHEREAS, besides the many honorable services carried out for the organization by Louis Z. Marohnic, he has been named by the Croation Fraternal Union's Scholarship Foundation, as well as, by Pioneer's Lodge No. 1, as "Man of the Year"; and

WHEREAS, Louis Z. Marohnic's vigor, unselfishness and dedication have resulted in the advancement and growth of the Croation Fraternal Union, and those associated with it in the City of Pittsburgh.

NOW THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of the Council of the City of Pittsburgh, on behalf of the citizens of Pittsburgh, hereby recognize and salute Louis Z. Marohnic for his "50 plus" years of distinguished service and loyalty to the Croation Fraternal Union where he displayed sincere concern for ethnic awareness, high moral standards, and social concern, and wish Louis Z. Marohnic continued happiness and richness in his years ahead.

Mr. Grabowski moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

The Chair:

I would just like to mention, if I may, relative to this particular lodge and the fraternal group, Croation Fraternal Union, we would like to commend the local lodge as well as the fraternal group because it is typical of the kind of commemorative banquets of honoring its worthy members that we have in this area. Many may not know it and I could not miss the opportunity to mention that the City of Pittsburgh has probably more fraternal headquarters than any other county in the United States.

Secondly, there are one million fraternalists in the state of Pennsylvania and, regretfully, good news is never publicized as much as bad news but if anyone took time to publish it, they would know that these organizations have contributed greatly to the local communities as well as the county and the state and the United States of America. Their loyalty is second to none and that is gratifying but we should mention it when the opportunity surfaces.

Michelle Madoff:

For the benefit of my colleague, Mr. Grabowski, I checked with the City Clerk, Mike Perry, and it is in order and

I've checked with the Law Department to have a floor motion without having notification, as you've requested, twenty-four hours in advance. I did give you the courtesy of explaining it to you.

Mr. Grabowski:

I'm only concerned when amendments come before this Council affecting legislation. It has nothing to do with motions.

Michelle Madoff:

Fine. I just wanted to be sure that you know I wasn't deliberately not honoring your request.

It has come to my attention and I'm sure a lot of people in Council, that the stories in the paper about TCI buying out Warner, a fate of compli, it's just a matter of transferring it, that there's nothing really very much, that it's just a routine matter. People do not understand that it's a very binding contract, that's it's probably going to become a very, very hot issue in this Council. In talking to my colleagues, there are already many divergent viewpoints.

I have great concern that we don't, again, like the Water Authority and the Stadium issue or other issues of magnitude on major bonds that come before this Council, that at the last minute, under pressure, we say, "Well, they're going to shut down and shut-ins and senior citizens who rely on television as their only form of entertainment aren't going to have the availability of reception."

In that spirit, I would like to make a motion that we invite Mr. James Roddy who has an intensive, extensive background in cable, who has no interest, direct or indirect, in this particular purchasing, in Warner or in TCI, to act as an advisor-consultant in the reviewing of presentations to Council so that we don't later say, "Well, it's a little early; we want to wait until we get some presentations." He would be effective in evaluating even presentations made to us that are going to be forthcoming in the near future with relevancy to either the turning over, possible bankruptcy, any strong-arming that we may encounter along the way saying, "Well, we just can't keep losing money; if you're not going to let us do that we're going to do this." The business-like way of transferring an operation, he is a businessman, has a fairly good reputation, I think an excellent reputation, in this area, and I've spoken to the Mayor about it and he thinks it's an excellent idea and asked me to convey that message to Council. I've heard one of my colleagues who is not here, Mr. Woods, say, and I'm very fair about this, that he thinks it's a little early, that we ought to wait and see what is presented to us. I'm worried that, as usual, when we look for a consultant — it was, you know, a week or so before we voted on the Water Authority; I didn't know the consultant, it was the best I could do in the time frame I had to find somebody. Here we've got somebody who has great expertise and I would like to make a motion that we ask him whether he would be willing to be an advisor to this Council.

The Chair:

The only problem the Chair has with that is that we don't have any legislation on it before us. At the time of the introduction, I think that might be more in order, frankly. That's my thought. We're going to hire a consultant to do something for which we have no legislation.

Michelle Madoff:

The thing that I'm concerned about, Mr. Stone, and I don't think you would disagree, is that when the legislation is presented to us, I'd like him to evaluate that as well.

The Chair:

Obviously, if that were presented at the time of the presentation when there's a bill there, then at that time there's going to be a public hearing. And let there be no question, if it has become an understanding that this is a fate of compli, let whoever has that imaginative thought forget it. We're going to have a public hearing on this matter and until we vote and five people give their assent, there will be no transfer.

Michelle Madoff:

I know that and you know that but I'm just saying —

The Chair:

I would like it understood very clearly.

Michelle Madoff:

The letter we received said we've made an arrangement to sell. A lot of people think that even though it has to come before Council, that it's going to be a very minor issue. There's the minority issue that has to be dealt with. I presume Warner is making some arrangements, my understanding is to come to an understanding with the groups. I know that Brother Richard, and I've spoken with him and Marv Fein called me today to say that provisions are in the initial contract which will mandate if TCI takes over Warner's contract, that everything in it will be — everything in the Warner contract would be in whoever takes over the operation.

I'm afraid that if I were a betting person, that in the real world the reason they went under is because they promised what they couldn't deliver. At some point this Council is going to be called upon to make some very hard decisions and I think that we ought to have somebody right up front, available to us. I don't think it's really that premature.

The Chair:

I would suggest it be the day of the introduction of the legislation, if you don't mind.

If I just may comment on this Warner thing, I've been quoted inaccurately as saying tha unless that $10.00 comes off by April 1st, Warner is going to get a deaf ear from me.

Michelle Madoff:

What $10.00?

The Chair:

That disconnect charge. I'm becoming increasingly disturbed when we make a fool out of people by telling them, "Try the service, try the service", and then somebody tries the service and then they inject the charge underneath. Now that they've got you up there, if you drop it you're going to lose $10.00. I do not have any fault with them charging a disconnect or even a reinstallation on someone who every day decides to change their mind. But the bulk of those people, it seems to me, bordering on asininity, to be attempting to take a disconnect for $10.00, it's not enough money, when it's probably cost them 72,000 cards, $1.00 and that's roughly $7,000.00 they spent to tell people about it. I'm suggesting strongly, and I hope

one of them is listening to me, that they're going to remove it before Friday because as far as I'm concerned, I'm going to give them a deaf ear if it's not off. We are not going to be making a fool out of our people and that's what's been the problem with Warner. They come here and ask for an increase and don't tell us they're about to raise some other charges and then come forth. That's not fair. I don't mind trying to do what's best under the circumstances but I'm not giving anyone the edge to come in the back way indirectly to do some things they have not been able to do directly.

No more can I mention than the fact that this will not be accomplished until after a public hearing and after we've heard all of the facts. But I just want it known in advance that we bought a cadillac system and we expect a cadillac system when it's over. That's what we bought and I would suspect that we're going to get it and we're going to have it. They made sure that we didn't share in their profits and I just want them to know that the City is not going to share in their losses.

Michelle Madoff:

Mr. Stone, procedurally, what is your intention? I think the public is wondering about this and there are some concerns and it's a good time to let the public know, procedurally, what's going to happen.

The Chair:

First of all, there is no legislation before us.

Michelle Madoff:

How would the legislation come before us?

The Chair:

When it comes before us, at that time it will come in like the normal legislation.

Michelle Madoff:

Who would be submitting it?

The Chair:

Whoever. Probably the Mayor's Office on behalf of Warner. When it comes here then we'll decide what to do and obviously it's going to have a public hearing. So, there's some time involved.

Mr. Wagner:

Mr. President, to follow up on that topic, it is known that sometimes things come at this Council rather quickly and with all our obligations we sometimes can't address a particular situation in the depth that we would like to. So, I think it's a good idea that we begin to think about this Warner situation now and proceed in some direction. I would like to see us, as a Council, have a group meeting with Brother Richard Emenecker at some time in the near future so that he can bring us up to date on exactly where Warner stands with the existing contract and what he views as being the various options of the future, meaning, if they have completed their commitment or if they have not completed their commitment and what the City can do from that point forward rather than this being proposed to us and us simply reacting to it. I'd like to see us prepare to react to it.

The Chair:

I think it's a good point. We'll arrange that.

Michelle Madoff:

Excuse me, question. Whatever happened to my bill on fiscal analyst? Do you know?

Mrs. Johnson:

It's on the agenda for Wednesday.

Michelle Madoff:

Thank you.

Mr. Wagner:

Mr. President, may I make one last point? Is it possible for this Council to establish some types of procedures or some minor procedures to follow for post agendas? It appears to me as if we have a particular type of meeting entitled post agenda but it has no agenda. I guess what I'm getting at is I think that the post agendas could be much more meaningful if we could identify some certain criteria that we could be looking for and some conclusions we would be trying to draw as a result of the post agenda. Possibly by — just an idea — identifying the areas of concentration in the notification of the post agenda so that even those participants in the post agendas are more prepared with the background information that we're trying to obtain.

The reason why I suggest this is that I have sat through approximately eight or ten of them so far and I think they're good, I think there's good interaction back and forth. But our post agendas are not — we're getting up and we're not having conclusions based on the various discussions that we're having. Not only conclusions but commitments by the participants to address the areas of concern that all of us Councilmembers are bringing up. I get the feeling that we're not accomplishing as much as all of us would like to accomplish.

So, is it possible? I would like to see this Council look into the possibility of identifying some agenda for post agendas.

The Chair:

If I may just bring some history back to you. First of all, the post agendas were part of the regular agenda and because they were taking so much time, then we completed the agenda and went into the post, which was really an extension of the regular agenda.

I, for one, believe that they're just a little too loose and they need structured a little bit better. I'll be coming up with some suggestions for you so that we do something that's more meaningful. I think that just constant roaming, as we're doing now, in a kind of a loose operation is not in anybody's best interest.

Michelle Madoff:

May I add to that that perhaps we ought to start televising them and put them back as part of the meeting because that's where the people really know what's going on. This meeting today had really nothing of tremendous magnitude. The public gets bored; they turn it on and turn it off. I think when we get to the post agenda, the interaction is where it really happens and they're entitled to know where it is.

I, for one, would be happy to eliminate post agendas and make them part of the agenda and really have some substantive interaction where the public can know what's going on.

The Chair:

Part of the reason, and I'm not

taking sides, but one of the reasons the post agenda was handled that way was because of what was happening in the post. Hopefully, we'll clean up our acts this year and maybe it will all work itself out.

Mr. O'Malley:

I was just going to say at the reorganization of Council in January, all of us were supposed to make recommendations and structural changes in this Council. I think that when the President calls a meeting on that issue, that would be a good time to present your views.

The Chair:

I think it's something we all want, frankly.

Michelle Madoff:

Something that I called for has been honored and I'm very pleased that we're no longer having supplementary agendas that have fifty items on that we've never looked at before. They're very short and I think that's very productive.

Mr. O'Malley moved to excuse Mr. Givens and Mrs. Masloff for absence from the meeting.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. O'Malley moved to approve the minutes of Monday, March 12, 1984 and Monday, March 19, 1984.

Mr. Wagner seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, April 2, 1984 No. 14

Municipal Record

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, April 2, 1984

PRESENT:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. Robinson	(Pres't)

ABSENT:

Mr. Givens
Mr. O'Malley

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Robinson:

Mr. President and I'd like to offer Resolution No. 235 which I think is very timely and important in light of what appears to be an increasing difficulty in our community with attempting to keep facilities, whether they be public or private, operating, serving the people they're intended to serve and, by the same token, keeping people employed.

This resolution specifically relates to the Western Restoration Center which the Commonwealth of Pennsylvania, through the Department of Welfare, has determined should be closed.

I'd like to offer this resolution and in doing so I'd like to have the following people, if they're present, to come forward. Essie Biglow who is the President of AFSCME Local 2339 which services the Western Restoration Center, Jackie Reynolds who is the Vice President of Local 2339 of AFSCME also serving Western Restoration Center, Mrs. Thelma Lovitt who is the Chairperson of the Proposals Committee for the Project Area Committee in the Third and Fifth Wards of the City of Pittsburgh and certainly someone who has been deeply involved in attempting to keep this Center functioning, Catherine Delewski who is with the Pittsburgh Neighborhood Alliance, one of the organizations working along with AFSCME and other local groups attempting to keep the facility open, and Marie Thompson from PSEA, one of the other labor unions active in this whole pursuit. Also, Darlene Hall who is the

secretary of Local 2339 of AFSCME. These ladies represent those individuals who have been working very diligently to keep the facility open, not only to keep it open but to keep it a vital part of the Hill District community.

Mr. Robinson presents

Bill No. 562 WHEREAS, The Western Restoration Center located on Bedford Avenue, Fifth Ward, City of Pittsburgh has been an integral part of the Hill District community for many years; and

WHEREAS, this Center serves a client population in need of specialized medical and mental health care; and

WHEREAS, The Western Restoration Center and its employees and administrators assist in the stimulation and stabilization of the economy of the Hill District; and

WHEREAS, The Commonwealth of Pennsylvania, through the Department of Welfare, has determined that The Western Restoration Center should be closed and its patients transferred and its employees re-assigned due to Department of Welfare budgetary restraints; and

WHEREAS, the facility does serve the people of Pittsburgh, and its closing would produce an undue hardship on the City of Pittsburgh and the Hill District.

NOW THEREFORE,

BE IT RESOLVED that the Mayor and the Council of the City of Pittsburgh does request that the Department of Welfare, Commonwealth of Pennsylvania cease and desist any and all efforts to close The Western Restoration Center.

Mr. Robinson moved to adopt the resolution.

Mr. Woods seconded the motion.

Which motion prevailed.

Mr. Robinson:

The individuals I asked to come forward would like to have something to say; there are, I think, some comments that only they could make about this project. I'd just like to say one thing; as far as the budgetary restraints of the Commonwealth are concerned, I think we're all aware that there is a surplus in the lottery fund and while I'm sure we all can appreciate the needs of our senior citizens, the vast majority of senior citizens in the Commonwealth of Pennsylvania do not benefit from the lottery fund. The vast majority of senior citizens do not own property and the lottery fund is only designed to offset taxes on property by senior citizens.

So, there are resources that the Commonwealth has available that with the appropriate negotiations could be utilized to not only keep this facility open but to realistically approach this particular problem.

With that having been said, I'd like to ask first Essie Biglow to make some comments, then Jackie Reynolds, Thelma Lovitt, Catherine Delewski and Marie Thompson.

Ms. Biglow:

My name is Essie Biglow, President of Local 2339. I'd just like to say that in the last two months, or a little longer, we have really been fighting to keep this institution open because we, the workers, know how important this facility is, not only to our patients but to ourselves and the Hill District. Although we have been fighting very hard in the last two months we will continue to fight until it's no longer

necessary. Hopefully, that won't come about. But we will continue to fight and we really are appreciative of your support.

Thank you.

Ms. Reynolds:

I'm Jackie Reynolds, Vice President of Local 2339. We're here to ask probably Mr. Cohen and Thornburg to change their minds and keep us open. We do good care, good quality care. Our patients are good clean patients and we take very good care of them. Our facility houses the Meals On Wheels and they also serve with the senior citizens and we are asking that if you'd like to come up and visit us to see what good care we give, then we'd like for you to come up to see it and also to help keep us open. Your support is greatly appreciated and we thank you very much.

Ms. Thompson:

I'm Marie Thompson and I'm with Social Services Union and shop stewart. A facility like Western Restoration is unique in that it is the only facility in Western Pennsylvania which serves as an interim placement to prepare patients for community placement in private nursing homes. This is a necessary function and the deinstitutionalization process because most private facilities are reluctant to admit patients directly from mental hospitals. We have been doing this for three years and we have found that nursing homes are just afraid of patients coming directly from the mental hospitals and we have the patients with their psychosis in remission and we work with them to reach their optimum functioning and then we place them into the community.

Ms. Lovitt:

Thank you Councilman Robinson for giving us this opportunity to present to the people of the City of Pittsburgh our concern about the Western Restoration Center closing. I come to you as a resident of the area and also as a retired social worker who heretofore sent patients to the Western Restoration Center. I do know that that Center has been a tremendous help to many, many people. You know, when we think in terms of this facility being located in "the Hill District", sometimes the connotation of anything in the Hill District, people begin to think that it isn't worthwhile. We're proud of the Hill District and we're proud of the Western Restoration Center which is located in the Hill District. I recall when the Center first opened, it was a restoration center; they rehabilitated people from all over Western Pennsylvania and sent them back into their community. They did an evaluation as to what type of care that individual needed; either they needed to go into another long-term facility or they were returned back to their home or some went into the foster homes. But they rendered an excellent service and as our previous speaker indicated to you, she would hope that you would come up into the area and visit the Western Restoration Center and see first hand the kinds of care that people receive there. It is a caring institution. The staff there totally care about the patients; they see them as individuals and take care of them just as they would their own loved ones. I would hope that the State would reconsider the closing of this institution, that they would think about it because there are funds available. Heretofore, the Western Restoration Center was under the Department of Aging. I would hope that perhaps they would be able to find funds under that Department to continue to serve the area with the Western

Restoration Center.

I thank you for giving me this opportunity to present my understanding of Western Restoration Center. Thank you Councilman Robinson and President Stone.

Ms. Delewski:

Ladies and gentlemen, my names is Catherine Delewski; I'm Vice President of the Pennsylvania Nurses' Chapter of Western Restoration Center. Anything I have to say would be anti-climactic to the things you've heard here but there are a few things that I would like to bring out. Our patients receive an in-depth medical examination; their medical problems are not only addressed but also their psychosis is addressed. Our patients are placed in the proper facilities; their needs are addressed, the families have input, the patients have input and the nursing staff has input. Our patients receive a unique treatment at Western Restoration Center. They're evaluated by a panel of nurses, physicians, and all the department heads in the hospital that have anything to do with nursing and the social services workers. It's not just one person who evaluates and places these people, it's a conglamorate effort by all the departments in the hospital, so you have input into these people's placement. They're not just kept there for awhile to spend a few months or a year and sent out into the community. We have a building that meets all the criterion for every state regulation that you could possibly ask for. The few dollars that it would cost the State to keep our building open, it seems to me, would be well worth the care, the unique loving intimate care, that our patients receive. If you can't spend a few extra dollars for the care of the elderly and the mentally ill patients that we handle, then this whole State and the Government is going down the drain. Whenever you pull money out of a service that is giving you a unique service, a service that's really needed, something that's done with loving care, — our place is a very intimate family-like association. We could tell you the family's names; we're intimate with the family. We become involved with the family and their problems; it's not just a fly by night operation. This is something that the City really needs and it's something that Pittsburgh can be proud of and if it's taken away, part of the renaissance of the Hill District is going to go down the drain, the people are going to suffer, and needless to say, the employees will have to be replaced. But our main concern is the patient care that is given at our institution. It is unique, in spite of what you may hear. If someone will tell you it is not unique, it's the way we do it that is unique.

I thank you for your attention.

Michelle Madoff:

Mr. Robinson, excuse me. Could we get an update on the status of the funding out of Harrisburg? How does it appear now?

Mr. Robinson:

I'm going to request, with the approval of Council, that we have a letter sent to the Governor and to the Secretary of Welfare indicating our support for maintain Western Restoration Center and very specifically, asking for the difficulties that prohibit the State from keeping it open. I'm sure if there are fiscal constraints that the Governor and the Secretary will forward that information to us and I think that will be an appropriate way for us to get an update.

So, if Council gives me that

approval, I will draft a letter that we can forward to get that kind of information and also show our support to keep the Center open.

Michelle Madoff:

If that's a motion I'll second it.

Mr. Robinson:

Thank you.

The Chair:

I assume everyone's in favor of forwarding a letter on to the State. Is that correct? Is anyone opposed? If not, Mr. Robinson, you have our unanimous thoughts along those lines.

I would just like to mention one remark, if I may. The Chair is at a loss to understand how, in these trying times, when there seems to be an increase of the need that the Commonwealth of Pennsylvania finds the ability, without understanding, to constantly cut the service. I think that we need, and I hope that this letter will at least remind our State officials that we're going in the wrong direction and to have those people out on the street when they need the care is not in the best interest of the State or this community.

Michelle Madoff:

Mr. Chairman, I echo your sentiments and the only thing I want to be sure is that we haven't had a lot of rhetoric and good intentions that are lost in the sea of good intentions. I would like very much — we send a letter and who knows what happens — could we have our lobbyist, we now have a paid lobbyist in Harrisburg, report back to this Council — we're paying him — what is the status of that bill and what is happening? That's why I wanted a lobbyist.

The Chair:

We can direct an inquiry, Michelle. I don't see that's problem.

Michelle Madoff:

Do you understand what I'm getting at? We make the big motion, it all looks good, we really care for you and then nothing happens. I would like a report from the lobbyist and I'd like it within — let's see, what would be reasonable?

The Chair:

Send a letter, Mike. Let him get back to us.

Michelle Madoff:

Grabowski, what's a reasonable time to hear from a lobbyist on this bill? Three weeks?

Mr. Grabowski:

I'd say a week.

Michelle Madoff:

Our former Legislator says one week. I'd like a response in a week as to the status of the bill.

The Chair presents

Bill No. 563 WHEREAS, the City of Pittsburgh is fortunate to have a major league baseball team such as the Pittsburgh Pirates Baseball Team; and

WHEREAS, the baseball players, as well as the ownership, management and coaching staff have all given their best to provide this city with pride, honor and baseball of the highest calibre;

and

WHEREAS, on April 3rd the Pittsburgh Pirates will play their opening game of the 1984 baseball season against the Padres in San Diego.

NOW, THEREFORE,

BE IT RESOLVED that the Mayor and the Members of Pittsburgh City Council do hereby welcome the "Bucs" back to Pittsburgh in 1984, and extends its best wishes to the Pittsburgh Pirates on opening day, and throughout the 1984 season with hopes that the World Series, in 1984, will be played in Pittsburgh.

Mr. Woods moved to adopt the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. Grabowski for Mr. Givens presented

No. 522 Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase and delivery of a computerized sign lettering machine for use in the Painting Division, Department of Public Works, at a cost not to exceed $9,500.00 payable from Code Account No. 1635, Equipment.

Also,

No. 523 Resolution granting unto the Regional Industrial Development Corp. its successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an underground conduit in a portion of the sidewalk of Winthrop Street in the 4th Ward of the City of Pittsburgh.

Also,

No. 524 Communication from Louis R. Gaetano, Director, Dept. of Public Works, requesting authorization for Brother Richard Emenecker, Superintendent, F.S.C., Bureau of Cable Communications, to attend the National Cable Television Association Convention in Las Vegas, Nevada, from June 3-6, 1984, at a cost not to exceed $1,100.00 payable from Community Communications Trust Fund. The purpose of this trip is to become familiar with the latest developments in cable television industry, especially in the area of programming services, technical facilities and system design.

Which were severally read and referred to the Committee on Public Works.

Michelle Madoff presented

No. 525 Resolution transferring $72,000.00 from Code Account No. 1750, Chemicals to Code Account No. 1702, Municipal Obligations for Non-City Water Agencies, Department of Water. The purpose of this transfer is to meet the balance of the budget period involved, ending April 30, 1984. — **(MICHELLE MADOFF)**

Which was read and referred to the Committee on Finance.

Also,

No. 526 Communication from Councilwoman Michelle Madoff, Pittsburgh City Council, requesting permission for Carmen Guenther, her Administrative Assistant, to attend the Water Works Association Annual Conference to be held in Dallas, Texas, June 10-15, 1984, at a cost not to exceed $1,250.00 payable from Code Account 1001-1, Misc. Services, Supplies, Equipment, etc. The many topics relating to the water industry will be beneficial for the efficient handling and

technical understanding of water emergency situations for the City of Pittsburgh.

Which was read and referred to the Committee on Water.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Michelle Madoff:

The reason we're asking to suspend Rule 8 is that, as it is, we may not have hotel rooms, we've booked flights that can be cancelled. It's going to be very difficult to get into the session; it's a very basic training session.

Mrs. Masloff presented

No. 527 Resolution authorizing the Mayor and the Director of the Dept. of Parks and Recreation to enter into an Agreement or Agreements with the Commonwealth of Pennsylvania Department of Environmental Resources for the purpose of maintaining and operating Point State Park.

Which was read and referred to the Committee on Parks and Recreation.

Mrs. Masloff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Also,

No. 528 Resolution authorizing the issuance of a warrant in favor of Hendee Zoological Company, II, in the amount of $1,900.00 in payment for the purchase of birds for display at the Aviary, chargeable to and payable from the Aviary Trust Fund, ATF, Dept. of Parks and Recreation. Prior approval by Council Bill No. 229, dated February 29, 1984.

Also,

No. 529 Resolution authorizing the issuance of a warrant in favor of Sunbird International Company, in the amount of $1,118.00 in payment for the purchase of birds for display at the Aviary, chargeable to and payable from the Aviary Trust Fund, Dept. of Parks and Recreation. Prior approval by Council Bill No. 229, dated February 29, 1984.

Michelle Madoff:

On the bills that were just read, the first couple of bills, on the birds at the Aviary, I have some friends who have become volunteers at the Aviary and I have heard some very interesting things that I would like to follow through on.

The Chair:

Michelle, let me just caution you. This is introduction of bills; we don't do anything with them.

Michelle Madoff:

I know. I'd like to have the information available to us when we discuss it. All I'm going to do is ask you to ask the appropriate people to have the information. It could be erroneous

information, it may be good information. What I want to know is, do we have a surplus of birds and could we sell them to make money. I understand that we do have a surplus. I just want to check. That's all. This does not include Council.

The Chair:

There are exotic birds here.

Also,

No. 530 Resolution authorizing the issuance of a warrant in favor of the Commonwealth of Pennsylvania, Dept. of Education in the aggregate amount of $3,709.00 as reimbursement for an overpayment in connection with the Dept. of Parks and Recreation's Special Summer Food Service Program, chargeable to and payable from Special Parks Program Trust Fund in the amount of $2,423.46 (254359) and $1,285.54 from the Special Summer Food Service Program Trust Fund, (270256) Dept. of Parks and Recreation.

Also,

No. 531 Resolution authorizing the quarterly transfer of the aggregate amount of $400,000.00 from the 1984 Community Development Block Grant Trust Fund, Code Account CDPR, Housing Authority Recreation Salaries, Project No. 4-10-10-0010-84-221-84-10 to the General Fund of the City of Pittsburgh for reimbursement of Salaries and Wages paid to employees in support of the City's Community Development Block Grant Program.

Which were severally read and referred to the Committee on Finance.

Also,

No. 532 Resolution providing for authorization to enter into an Agreement or Agreements with various contractors for services in conjunction with the 1984 Visual and Performing Arts Program, at a cost not to exceed $39,000.00 chargeable to and payable from Code Account 1838, Index Code 183806, Recreational Activities, Misc. Services, in the Dept. of Parks and Recreation.

Also,

No. 533 Resolution providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania, Dept. of Education, for a grant in connection with the Special Summer Food Service Program Project, providing for the exeuction of grant contracts and for the filing of requisitions and other data, approving the Project, providing for required assurances, providing for execution of payment vouchers or Letter of Credit and for certification of authorized signatures, and providing for the deposit of the funds in Special Summer Food Service Program Account.

Also,

No. 534 Communication from Stephen A. Schillo, Deputy Director/City Treasurer, Department of Finance, requesting authorization for James Turner, Carolyn Marks and Marianne Zebrowski to visit the National and Baltimore Zoos on April 27-28, 1984, and to attend the Northeast Regional Conference of the American Association of Zoological Parks and Aquariums in Philadelphia, Pennsylvania on April 29 thru May 1, 1984, at no cost to the City of Pittsburgh. This trip is part of a management study of zoo operations being done in conjunction with the Capital Development Program currently under way. Use of a City vehicle is also requested.

Also,

No. 535 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting authorization for herself to attend the Spring Meeting of the Urban Park and Recreation Alliance in Miami, Florida from May 10-12, 1984, at a cost not to exceed $720.00 payable from Code Account No. 1801, Misc. Services.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Robinson for Mr. O'Malley presented

No. 536 Resolution amending Ordinance No. 318, appr. June 26, 1968, which authorized the Mayor to issue and the City Controller to countersign warrants for the purpose of establishing an imprest fund for investigation expenses for the Bureau of Police, Department of Public Safety, by deleting the payees named therein and naming the Superintendent of Police as payee; and by changing the amount of the fund from $8,000.00 to the total of the amount existing in the fund at the time of the issuance of the warrant. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Woods seconded the motion.

Which motion prevailed.

Also,

No. 537 Resolution providing for the issuance of a warrant in favor of the International Business Machines Corporation, P.O. Box 537, Philadelphia, PA 19105, in the amount of $2,444.00 in payment for rental of equipment furnished for the benefit of the City, chargeable to and payable from Code Account No. 1447, Misc. Services, Dept. of Police.

Which was read and referred to the Committee on Finance.

Also,

No. 538 Communication from Glenn M. Cannon, Director, Emergency Medical Services, requesting authorization for himself to attend a national pilot program of the Federal Government's new Integrated Emergency Management Course in Emmitsburg, Maryland from April 16-20, 1984, at a cost not to exceed $700.00 payable from the EMS Non-Resident Trust Fund (EMNFAS). Permission is also requested for use of a City vehicle.

Also,

No. 539 Communication from Robert J. Coll, Superintendent, Dept. of Police requesting the amendment of Council Bill No. 231, approved February 29, 1984, so that Lieutenant Leo O'Neill is added to those persons authorized to attend a Creative Crime Scene Investigations Seminar to be held at the Pittsburgh Mariott Inn-Greentree on March 8-9, 1984, at a cost not to exceed $560.00 payable from Code Account No. 1454, Education and Traveling Expenses, Dept. of Police.

Which were read and referred to the Committee on Public Safety.

Mr. Robinson presented

No. 540 Resolution authorizing the Mayor, the Director of Finance, and the Director of Personnel to establish an Emergency Jobs Program to be funded by the tax receipts in excess of $100,000.00 from the sales of property in the City of Pittsburgh. —**(SPONSORED BY MR. ROBINSON)**

Also,

No. 541 Resolution directing the City of Pittsburgh Pension Board to establish a small business loan program through the investment of the City of Pittsburgh Employee Pension Funds. — **(SPONSORED BY MR. ROBINSON)**

Which were read and referred to the Committee on Finance.

Also,

No. 542 Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the Administration of City Programs and Projects, at a cost not to exceed $240,000.00 payable from Code Account No. 1017, Misc. Services, Office of the Mayor.

Also,

No. 543 Resolution approving a Conditional Use under Section 993.01(a)A(33) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, for construction of a seven-story building with 60 units of housing for the elderly located in South Oakland on Niagara Street south of Craft Avenue, 4th Ward, Lots No'd. 174 and 175, Block 28-P, in the Allegheny County Block and Lot System.

Also,

No. 544 Resolution approving a Conditional Use under Section 993.01(a)A(7), Government Use and 933.01(a)A(50), Special Hazard in a Flood Plain District of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, for expansion and renovation of Western Penitiary in a "M4" Heavy Industrial District located at New Beaver Avenue between Doerr and Westhall Streets.

Also,

No. 545 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 4 by changing from "R1" One-Family Residence District to "C2" Highway Commercial District certain property located along the southwest corner of McMonagle Avenue and Banksville Road, 20th Ward.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 546 Resolution amending Res. No. 84, appr. Feb. 15, 1982, entitled "Providing for a Contract or Contracts for the repaving of Grant Street from Liberty Avenue to 6th Avenue and repaving of Liberty Avenue from 10th Street to 12th Street, Phase I, including sewer reconstruction and necessary work on private property and other work incidental thereto; providing for a Reimbursement Agreement or Agreements with the Comonwealth of Pennsylvania, Dept. of Transportation; and providing for the payment of the cost thereof", by providing for the payment of cost thereof from the Grant Street Trust Fund, at a cost not to exceed $5,000,000.00, Dept. of Engineering and Construction.

Also,

No. 547 Resolution further amending Res. No. 1430, appr. Dec. 29, 1980, eff. Jan. 1, 1981, as amended entitled, "Adopting the 1981 Capital Budget and approving the 1981 through 1986 Capital Improvement Program," by retitling a line item.

Also,

No. 548 Resolution amending Res. No. 763, eff. Aug. 6, 1983, entitled, "Providing for a Contract or Contracts, including the use of existing Contracts, for construction in connection with renovations of various roofs; and providing for the payment of the cost thereof," by increasing the total project allocation by $25,000.00, changing the amount from $175,000.00 to $200,000.00 payable from Code Account LB-411, Rehabilitation of Roofs, Various Public Buildings.

Also,

No. 549 Resolution providing for a Contract or Contracts for the Demolition and Reconstruction of the Baum Boulevard Bridge over Conrail and the East Busway, including necessary work on private property, providing for a reimbursement agreement or agreements with the Commonwealth of Pennsylvania, Dept. of Transportation, at a cost not to exceed $3,177,000.00 payable from Code Account PW 84-12, Baum Boulevard Bridge near Morewood.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Woods presented

No. 550 Resolution providing for the issuance of a warrant to Barbara Benson, c/o James D. Belliveau, Esquire, 2100 Law and Finance Building, Pittsburgh, Pennsylvania 15219 in the amount of $4,972.50 in full settlement of a claim for property damage, chargeable to and payable from Code Account No. 46, Judgments.

Also,

No. 551 Resolution transferring the Water Fund balance as of May 1, 1984, to the General Fund and providing for the payment of outstanding encumbrances.

Also,

No. 552 Resolution amending the 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982 and 1983 Community Development Capital Budgets to renumber project codes accounts to reflect the reorganiation creating the Department of Engineering and Construction.

Also,

No. 553 Resolution providing for an Agreement with William M. Mercer/Meidinger, Inc., for actuarial services in connection with the Municipal Pension Fund, the Policemen'a Relief and Pension Fund, and providing for the payment of the total cost not to exceed $36,900.00 chargeable to and payable from Code Account No. 55, Policemen's Relief and Pension, in the amount of $12,600.00, Code Account No. 56, Firemen's Relief and Pension Fund, in the amount of $9,400.00 and Code Account No. 58, Municipal Pension Fund, in the amount of $14,900.00.

Which were severally read and referred to the Committee on Finance.

Also,

No. 554 An Ordinance supplementing the Pittsburgh Code, Title Ten, Building, Article III, Local Regulation, Section 1031.02 by adding

additional requirements for barricading and fencing during erection, alteration or demolition of any building for the protection of the public on sidewalks and thoroughfares.
—(SPONSORED BY MR. WOODS)

Which was read and referred to the Committee on Public Safety.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 555

Report of the Committee on Finance for March 28, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 425

A Resolution entitled, "Resolution transferring the sum of Four Million One Hundred Three Thousand, Twenty-five Dollars ($4,103,025) from the Unrestricted Cash Account, Department of Public Works, Capital Fund, to the Unrestricted Cash Account, Urban Redevelopment Authority, Capital Fund."

Which was read.

Also,

Bill No. 426

A Resolution entitled, "Resolution amending the 1982 Capital Budget to increase the authorization for the Parkway Center Highway Ramps project in the Urban Redevelopment Authority."

Which was read.

Michelle Madoff:

On Bill Nos. 425 and 426 and 418, which all pertain to the fiasco with Mr. Kossman, I am making a protest vote of no and I would like my statement and dialogue with Mr. Paul Brophy to be brought forward so that this kind of situation will not repeat itself.

(BEGINNING - MICHELLE MADOFF'S CONVERSATION WITH DIRECTOR BROPHY - 3/21/84)

Michelle Madoff:

Is this Mr. Kossman, our good friend Mr. Kossman, who didn't bother to tap his property and the land fell on our highway roads and we supply the City policemen at City taxpayers' expense to clean up his mess? The same Mr. Kossman?

Director Brophy:

This is Mr. Paul Kossman.

Michelle Madoff:

And you are going to raise the fee from $4 million to $8 million?

Director Brophy:

That's correct.

Michelle Madoff:

Is that a loan?

Director Brophy:

Yes, that's a loan.

Michelle Madoff:

Entirely?

Director Brophy:

Yes, entirely.

Michelle Madoff:

And he will pay it all back?

Director Brophy:

He will pay it all back.

Michelle Madoff:

Did he pay back any money loaned to him to date?

Director Brophy:

None has been due yet.

Michelle Madoff:

None has come due yet. Is part of this project to help create jobs in that area?

Director Brophy:

Yes.

Michelle Madoff:

For City residents?

Director Brophy:

Yes.

Michelle Madoff:

How many City residents will be hired from this effort?

Director Brophy:

To date, the number of Pittsburgh employees as of December 31, 1983 at Parkway Center Mall, was 356 residents of the City of Pittsburgh that have been hired.

Michelle Madoff:

Since the beginning of this project or prior to this project?

Director Brophy:

In the mall itself.

Michelle Madoff:

How many since Mr. Kossman came to us for money?

Director Brophy:

Well, the mall was built contingent upon the UDAG being funded, so all these jobs are subsequent to event.

Michelle Madoff:

All are the result of the development?

Director Brophy:

Correct.

Michelle Madoff:

Including when he built the initial mall prior to coming back to us? We are done talking about the initial development in that area; we are talking just about the mall?

Director Brophy:

That's correct, none of the earlier stuff was within City limits.

Michelle Madoff:

So these are additional jobs created?

Director Brophy:

That's correct.

Michelle Madoff:

How many again?

Director Brophy:

Three hundred fifty six City residents.

Michelle Madoff:

How many non-City people?

Director Brophy:

That's of a total of 865.

Michelle Madoff:

So of 865 people, about roughly one-third or a little bit over, almost one-half?

Director Brophy:

Almost one-half.

Michelle Madoff:

Half are City residents and half are not City residents?

Director Brophy:

Correct.

Michelle Madoff:

And the other half of the money is going to come from dollars that the City is not going to go after so they can supply their own funds for their own jobs or is it all coming out of our allocation dollars?

Director Brophy:

The figures on this we had received $4.6 million from the federal government which is part of the UDAG, the remainder of the funds and because, as part of the requirement of the UDAG, the City is to construct the necessary public improvements associated with it, it is a City responsibility to build those public improvements, including ramps. The arrangements we have been able to work out with the developer is that the City's advance of the funds to build the ramp which will be reimbursed over time such that there is no cost to the City for having borrowed the funds.

Michelle Madoff:

I am a little confused, Paul; bear with me. You say it's the City's responsibility to put in the ramps?

Director Brophy:

Correct.

Michelle Madoff:

But he is going to reimburse us for our responsibility?

Director Brophy:

That's right.

Michelle Madoff:

At what ratio? By the number of how many years?

Director Brophy:

Basically, we have been working with the City's Finance Department to work out a loan arrangement with Mr. Kossman so that the cost of borrowing these funds to the City would be fully reimbursed and reflected in the interest

rate that we charge Mr. Kossman on the loan and over the same turn of the loan. So, if you picture the City having borrowed funds out of the Capital Budget, the bond issue that was done —

Michelle Madoff:

Thirty years say?

Director Brophy:

Thirty years, then this loan gets cast in the same.

Michelle Madoff:

And he will have 30 years and it will be like adding on to his mortgage and he has 30 years to pay it back too? He will be paying back so that there will be no cost to the taxpayer for those ramps?

Director Brophy:

That's correct.

Michelle Madoff:

None at all?

Director Brophy:

None at all. We exactly constructed it that way so I can answer that way.

Michelle Madoff:

If anything happens to Mr. Kossman and he sells the development, that liability would be passed on automatically?

Director Brophy:

It triggers a repayment or an assumption, that's right, but we are secured on the loan.

Michelle Madoff:

Why has the number gone up to double?

Director Brophy:

Back in 1979 and 1980 when the UDAG funds were applied for and received, an environmental assessment was done which was done at that point by the Department of City Planning which indicated that improvements to the tune of about $2.6 million would be needed in order to accommodate the additional traffic. If you remember back at that point, the Borough of Greentree objected and further environmental work had to be done and at that point. It was concluded that in order to get the UDAG, the City would be required to commit itself to building ramps.

When the initial work was done by consultants at that point, based on very general assumptions about the quality of the soils and the nature of the ramp that had to be built —

Michelle Madoff:

Who paid the consultants?

Director Brophy:

The Urban Redevelopment Authority paid the consultants. The assumptions were made based on what would have been cleaning and typical fill and at that point there was some indication from the federal highway people that a slow ramp off the Parkway would be more acceptable than a higher speed limit; those assumptions were made which led to 1980 cross figures which were assumed to the ramp, a roughly $2.5 million, when in fact the cost figures for that ramp are now close to just over $6 million.

The fundamental reasons for the changes is that as the engineering work got detailed a few things happened; one is the soil was much more extensive than was anticipated because the fill was not sufficiently compacted and it had to be compacted much more —

Michelle Madoff:

Who is responsible for the initial fill not being compacted.

Director Brophy:

I can't answer the question.

Michelle Madoff:

Was it the City? Was it Mr. Kossman's responsibility at that time? This is the kind of fill that he did and the tapping that he didn't do which was the reason some of the earth fell in on the highway?

Director Brophy:

I would have to call in on Jerry Detorre, our Department of Engineering, for that, but the owner, some of this land was owned by Kossman and some wasn't but the fill itself which had been a fill site over the year —

Michelle Madoff:

The point that I am raising is when you came to this Council —

Director Brophy:

Can I just finish this?

Michelle Madoff:

Sure.

Director Brophy:

The other problem is the ramp, by itself, has changed. The federal highway people did not allow for a slow speed limit off the Parkway, but rather a faster speed limit to meet the federal requirements and that meant a longer ramp with a different kind of bridge —

Michelle Madoff:

When did you find that out?

Director Brophy:

That was basically in early 1983 as the detail work progressed.

Michelle Madoff:

The thing that I am concerned about is the game plan, that you come here and say we only need $2 million and then once we are into the project, you come back and say now we need $6 million. The engineer who did the original work for URA, is that correct?

Director Brophy:

Yes.

Michelle Madoff:

Was either incompetent or competent engineer and if he was competent he did some soil testing, he found out if he had yellow clay, he found out the land was going to shift, he found out if you had the proper compacting, he found out if you had proper clean fill. Did he post a bond that he was responsible for his recommendations?

Director Brophy:

We looked at that very carefully, Michelle. The piece of work that that consultant was dong at the time was

GAI, which is an engineering firm, was an environmental assessment and it was done in an effort to get preliminary figures on these cost and fairly gross assumptions were made. This was clearly a ballpark kind of situation.

Michelle Madoff:

Have you learned something from that?

Director Brophy:

We learned a couple of things from it. One is on all of these kinds of pieces of land, I think it is important to know up front what the obligation is and in this instance, there was a certain league of faith that indicated that if there were overruns we would still be in the position to cover them. I think there's where the —

Michelle Madoff:

It's more than just a little overrun; it's $8 million.

Director Brophy:

I think what happened here was we were able to negotiate a successful agreement with the developer and that happened way back in 1982 as the costs started coming in that it would not be a City obligation to cover these costs permanently but rather that this advance and repayment situation would be worked out.

Michelle Madoff:

What really happened is that Mr. Kossman couldn't go to the back and get the kind of rates that he is getting from the City and he came to us, got $2 million, $4 million and now he is getting $8 million and he just put his finger in the dial and put his whole hand in and what I am concerned about is do we have, and I don't know and maybe you can clarify this for me, are there only X number of dollars allocated to a community from the federal government?

Director Brophy:

Under the UDAG Program —

Michelle Madoff:

I want that very clear; are there only X number of dollars allocated to a community so that Mr. Paul Kossman puts out his hand for $2 million, then $4 million and then $6 million and that means somebody else can't get that money no matter how you work at the back payment and we become his banker and we bankroll him which is very clever.

Director Brophy:

I think that the issue here is back in 1980 when the City assumed the responsibility for making the necessary public improvements in order to get the grants; we basically made a commitment that through an angle whatever the cost for those items were.

Michelle Madoff:

And we didn't know what the cost would be because we didn't have good engineering work.

Director Brophy:

We obviously didn't know what the costs were because the costs were so much lower than what has actually materialized.

Michelle Madoff:

That's also because we did not have good engineering work.

Director Brophy:

I think that is accurate.

Michelle Madoff:

How do we correct that in the future, Paul?

Director Brophy:

I think that there is a couple of things; I think the scope of work for this contract was much more limited than it should have been in the sense that the detailed soils work and the detailed discussion with the federal highway people that followed if one Monday morning quaterbacks ideally should have been done back then so the numbers would have been in place. And I think what it means is that when these initial studies are done I think they need to be recognized as simply that; they are initial studies and the cost contained quite substantially to that.

Michelle Madoff:

And what you are saying is it might be wiser, if I hear you correctly, to spend a little bit up front and if you are going to go into business for example, you are better off to spend some money and maybe lose that money than to spend too little and then end up with the big hunk at the other end of the spectrum.

Director Brophy:

The difficulty is that on a project like this, to get the right answer, you can't just spend a little bit of money; the overall engineering cost on this project is over $1 million at this point so it is a very substantial amount of money and the question is making the trade-offs as to how much information do you need.

Michelle Madoff:

Shouldn't that have been Mr. Kossman's problem, that $1 million to make the evaluation? Should not that have been Mr. Kossman's obligation?

Director Brophy:

Unfortunately, the way that the UDAG Program was being worked, the City had to assume responsibilities for the public improvements —

Michelle Madoff:

We no longer do that, do we?

Director Brophy:

We have been very careful about that; that's why we made an arrangement with Mr. Kossman that in order for us to honor our obligations above the $2.6 million that we were getting from HUD for the public improvements that those cost would eventually be borne by the developer.

Michelle Madoff:

Where does the balance of that money come from? Capital bond that we are going to borrow and give him?

Director Brophy:

What you have before you is legislation that would move funds within the Capital Budget into this account so that this could be covered.

Michelle Madoff:

Mr. Stone, did you hear that?

Mr. Stone:

I heard it.

Michelle Madoff:

You were the Finance Chairman for a very long time. We are going to, as taxpayers, borrow money for Mr. Kossman which he will pay back like the City would pay back limiting our borrowing power somewhat because that adds on to our borrowing ability. This is unconscionable —

Director Brophy:

May I respond? I think the way you are rephrasing it as borrowing money for Mr. Kossman is, in my opinion, a very narrow way of defining the issue here. This is a project which the City committed itself to in 1980; it's a project —

Michelle Madoff:

Which I voted against incidentally.

Director Brophy:

It's a project that has very important economic implications for this City; we talked about the number of jobs —

Michelle Madoff:

356 out of 800.

Director Brophy:

Looking at what this project has done to the assessed value of the land to the taxes that are being paid both in property taxes and wages, our projection for 1985 is that this project will produce, between the land taxes, building taxes, school taxes and the earned income tax, $.5 million a year in taxes.

Michelle Madoff:

That will more than cover our obligation on —

Director Brophy:

It's above all of that because the loan arrangement with the developer is that the loan is going to be repaid.

Michelle Madoff:

Separately, it has nothing to do with the monies —

Director Brophy:

This is $.5 million in taxes that is being generated for the City and School District.

Michelle Madoff:

Do you agree, Paul, and I am not into that, I think you and I both agree that hindsight is a wonderful thing and if we had known this we would have done it differently, you would have done it differently, you are doing it differently now and I am out to I think you did what you thought was right at the time. I think we both agree with a little more work done up front, we wouldn't be in the situation we are in today and that what you have done is do the best you can and probably a very good plan in making sure the difference is going to come back to us and that it is not going to cost the taxpayer.

Director Brophy:

Correct.

Michelle Madoff:

But you would agree that the burden on the capital borrowing does effect substantially our borrowing ability?

Director Brophy:

This is obviously $4 million that we are putting into a project —

Michelle Madoff:

I just want an answer.

Director Brophy:

That's right.

Michelle Madoff:

You know for those who may not know, I have not liked Mr. Kossman's business ethics; I don't like the way he does business; I have never liked the way he does business and I would like to ask one last question and then refer to my colleague. How many minorities and women were hired of those 300 jobs?

Director Brophy:

As of December 31, 1983, I am showing 64 permanent minority jobs on this and 451 low and moderate income persons that were hired.

Michelle Madoff:

And of course a lot of them would be women because we are the lower income women, we do the menial jobs. How many minorities?

Director Brophy:

Sixty-four.

Michelle Madoff:

So sixty-four out of a big hundred is what percentage?

Director Brophy:

Probably in the neighborhood of 8 percent.

Michelle Madoff:

Eight percent. It is suppose to be 15 and I hope that you may prevail on Mr. Kossman that we would like to see 15 percent. Thank you.

MR. O'MALLEY COMMENTS

Michelle Madoff:

When were you aware that this project was going to have to escalate in this cost? How long ago?

Director Brophy:

Well, we knew the costs were getting higher and we didn't know specifically what they would be until we went out for bids and received bids.

Michelle Madoff:

How long ago was that?

Mr. Detorre:

December 23rd of last year.

Michelle Madoff:

That's when you knew it was going to be up that much higher?

Director Brophy:

That's right.

Michelle Madoff:

And what's the date today?

MR. O'MALLEY COMMENTS

Michelle Madoff:

How long is that?

Director Brophy:

That's three months.

Michelle Madoff:

That's exactly the point that Councilman O'Malley is making. Why wouldn't you have told us?

Director Brophy:

Because I didn't want to bring legislation before you until I had an arrangement worked out with Mr. Kossman that, in fact, he was going to reimburse us for what he borrowed.

Michelle Madoff:

Would you agree we would be much more receptive in helping you solve your problem, because you are between a hard place and a rock? Is that correct?

Director Brophy:

That's correct.

Michelle Madoff:

But if Councilman O'Malley felt that if you had not waited three months to tell him we were approaching this thing, the Stadium, the Warner Cable, the Water Authority and now Mr. Kossman, you come to Council and you say you have 20 minutes to decide if you don't do it, the price is going to go up and Council, you are responsible for everything that happens. Well, this City is run by the Administration and when they want our opinion, they give it to us and I, for one, concur with my colleague; we are not rushing it.

Director Brophy:

I simply will not live with that paraphrasing of what I said. All I said was I felt it was my responsibility to put on the table the risk of holding.

Michelle Madoff:

You have known this three months ago; you could have held an informal meeting with Council and said we have run into a problem, the cost are going to go higher. Would you do it in the future?

Director Brophy:

Yes, I will.

Michelle Madoff:

That's all. I have no problem with what you are doing. The last question, obviously the company that did the ground testing knowing the BFI and everybody in the world knew that that was hills and valleys and Mr. Kossman was brilliant and that he built his buildings on the solid ground and built his roadways and his parking lots on the fill, is that correct?

Director Brophy:

That's correct.

Michelle Madoff:

Anybody knowing anything about that project knew that we knew that you couldn't sustain buildings and there the question comes up, couldn't sustain a road. When we found out, when URA found out that indeed there was going to be a road built over this land, it was tested, is that correct? And that is what we call "preliminary perusal study" done by this GAI?

Director Brophy:

It was not tested; that's the point that Councilman O'Malley was making.

Michelle Madoff:

Then you get into an engineering firm that designs. Did the engineering firm put their seal on?

Director Brophy:

Yes.

Michelle Madoff:

Did they test?

Mr. Detorre:

Yes, there was extensive work.

Michelle Madoff:

Then sue the engineering firm.

Director Brophy:

You are misunderstanding, Michelle. If I may, the engineering firm is Gannett-Fleming; they have produced detailed drawings, they have done detailed corroborings, they have put their seal on —

Michelle Madoff:

On the new plan and not on the old plan. Is that what you are saying?

Director Brophy:

The old plan wasn't nearly detailed enough to put a stamp on it; it was a study.

Michelle Madoff:

You mean to say we came up with a commitment that now is at $8 million and was originally at $4 million on the basis of not having a thorough engineering study? Who authorizes this kind of work? It's like the pool that was built in Schenley Park, that we pay four times the cost of the pool because nobody passed the plan from Parks and Recreation to another department to say is this a plan; are the sewers going to hold up? Is this designed the way we use to do it many years before I was here? Somebody signed it in every department. How could this have been allowed to happen?

Director Brophy:

I can't explain how it happened. I can simply add to that, however, that there is one important difference here between a pool project or something else and that is that before the City agreed to proceed with this they had an agreement with the developer that any extra cost that the City had would be reimbursed by the developer.

Michelle Madoff:

That is commendable, I think you need to be congratulated for that.

Director Brophy:

It's not an unimportant difference.

Michelle Madoff:

It is. It is very important and you are to be congratulated for that and I am not taking one bit of that away from you. What you have done is essentially cover the City's proverbial and that's to be commended. You are between a hard place and a rock, but I don't want to have this Council between a hard place and a rock all the time. Every time there is a decision, it's always two minutes before deadline and please when you see this kind of problem coming up in the future, would you let the Finance Chairman know and we would be briefed.

(END - MICHELLE MADOFF'S

CONVERSATION WITH MR. BROPHY - 3/21/84)

Mr. Grabowski:

Mr. President, let's clarify something. Bill No. 418 is not being voted on at this time.

The Chair:

She's joined it with what we had joined on Wednesday but he is correct.

Michelle Madoff:

I'm terribly sorry; that's under Mr. Robinson's Committee. Thank you.

Mr. Wagner:

I vote aye and I would also like my comments brought forward from the last two weeks on Bills No. 425 and 426 to be put into the record.

(BEGINNING - MR. WAGNER'S REMARKS ON BILL NOS. 425 AND 426 - 3/21/84)

Mr. Wagner:

We all know what it is like to be traveling on an interstate highway at 55 mph, come around the corner and all of a sudden to have the exit ramp right in front of you; and not only do vou have to get to that exit ramp, you have to weave in and out of tractor trailers that are traveling at a speed of 25 mph.

I think we should, this Council, should be briefed on this exit ramp, why it has to be so long, why it has to begin at that location, why it cannot be a shorter ramp. I personally don't think there needs to be an exit at that point along this road and I would like PennDOT to explain exactly the reason behind it.

Mr. Brophy, to follow up on Mr. O'Malley, based on the consultant that did the work, GAI, does the URA have any type of agreement with consultants as does the City of Pittsburgh to hold them liable for any errors made?

Director Brophy:

It depends on the nature of the work; in the case of the environment assessment GAI did, we did not have that kind of requirrement in the contract. In other incidents were you are involved in detail engineering work, we carry that kind of requirement.

Mr. Wagner:

Well, it seems that with this particular project, we all know that was a landfill. Anyone that passes that or has passed that for the last five years knows that, I believe, it was Browning, Ferris Industries had a contract with Kossman to fill that valley with landfill and for a consulting engineer to go in and to assume that that ground is stable is an indication that that person is not competent in their consulting work without doing any test borrings or any other follow up engineering work.

The City of Pittsburgh has an agreement that I would like to see begin to be enforced with various consultants where we indicate the consultant shall not withstanding the acceptance and approval of the City of any work performed or completed under the terms of the consultants contract continue to be responsible and liable on the contract for any expense or damage incurred by the City in remedy errors or ommissions in any part of the work performed on a contract. And I would like to see the URA and I would like to see the City of Pittsburgh some time in the future where a consultant is in error, and it appears as if they obviously were in this particular

instance, to take legal action to make them pay for any future cost that may be incurred. You indicated earlier that that is not the case, that the Legal Department has investigated this?

Director Brophy:

Correct.

Mr. Wagner:

And it is not possible in this instance?

Director Brophy:

Correct.

Mr. Wagner:

Do you have an agreement such as this with consultants doing work for the URA?

Director Brophy:

The answer is the GAI contract was more in the order of a study. On our engineering contracts where there is actual work going on, we carry that language.

Michelle Madoff:

The engineer approved it from that study?

Director Brophy:

Pardon me?

Mr. Wagner:

In other words, GAI did not officially approve this study, is that correct? Is that the reason why we can't hold them liable for any errors?

Director Brophy:

I am trying to distinguish here between the environmental assessment work that they did which was to give us some indication of how, what work would have to be done to accommodate the Parkway Center Mall and distinguish that from a detailed engineering contract that says here is the work that has to be done in detail; here is where the ramp needs to go, here is where the wall has to be such that it's built according to specifications and you got a retaining wall that falls down three years later and it was built according to their specifications. We have some legal action to take. The nature of the GAI work was more of a planning study than it was an engineering piece of work.

Mr. Wagner:

Well, even in the planning study, it was very obvious that whether it was a 30 mph ramp or 40 mph, it doesn't matter what the length of the ramp was that it had to go over sanitary landfill; therefore, certain test borrings should have been done of the land to determine if in fact it was capable of holding a ramp.

Mr. Detorre:

Mr. Wagner, if I could rest that, GAI knew that the soils were a worry and in their cost estimate they allow for $200,000.00 for their soils work in the estimate. It wasn't that they recognized it, that there were soil problems. I think that something to think about is the fact that these had to be taken over the PennDOT after they are built and it's a matter of how far did they want us to go in stabilizing the soil, PennDOT. What did PennDOT require in terms of stabilization? We probably spent double than what we thought we might spend on solid stabilization.

There are other areas where, on one section of the Parkway because of the ramp lengths, if you know the area where the Parkway was filled, when it was built we had to widen those areas and had to place walls in those areas, but those slopes there were not as stable as we anticipated; those were designed because those weren't known at that time.

Mr. Wagner:

Does the URA have an agreement with consultants where you can hold them liable for error?

Mr. Detorre:

When the contract is for design, either that or engineering, yes.

Mr. Wagner:

But this wasn't done as engineering?

Mr. Detorre:

This was a planning study to work with the City Planning staff on the assessment of the project.

Mr. Stone:

Mr. Wagner, before you leave that point, if I may. I think we better clear something up here because there is some strong language used and from what I am hearing from Mr. Brophy, it doesn't apply here.

First of all, you asked a good question. He is saying, on the error and ommission, is it only because that was not part of the contract here with GAI that we can't sue them or because it was not in GAI's original scope of work, for which they are responsible for the rest of the work?

Director Brophy:

Both. It was a planning study, not an engineering study and therefore it did not carry that language and --

Mr. Stone:

Whether you have the errors and ommissions then, it doesn't make any difference. They were not responsible.

Director Brophy:

That's correct.

Mr. Stone:

So that's the question and you almost left it with him because it didn't have errors and ommissions. Therefore, that's why we can't sue them, even if they are wrong. Let me correct it and then we go back to him, I don't want to take it too far. If I am understanding you correctly, it's an early study for which they were not responsible to determine whether this soil was able to withstand whatever it might be in the eventually.

Director Brophy:

Correct.

Mr. Wagner:

Will GAI do any additional consulting work on this project.

Director Brophy:

No.

Mr. Wagner:

The City is going to borrow $4 million, at what interest I am not certain. It is written into the contract for repayment that the repayment of

those dollars will be equal to the interest rates at which we borrow the money?

Director Brophy:

Correct.

Mr. Wagner:

One last item. I was sent a copy of the engineering plans and to some degree I question the engineer of this project. What we have is, we have Parkway West coming from the Liberty Tunnels; we know when you go up that area of the Parkway, there are three lanes and the right lane is the truck lane, the slow lane. As soon as you get around that curb into the lane, what you have is an exit ramp beginning a long exit ramp leading into the Parkway Center Mall. My question is, with slow traffic being in the left and right lane which is these three arrows indicating the lanes, you are going to have the truck traffic traveling at a speed of anywhere from 15 to 25 to 30 mph. They are not going to be exiting in most instances at this exit. The vehicles that exit are going to be the ones in the middle lane or the outside lane that are following this slow traffic. As soon as you get around this curb, you are going to have truck traffic trying to go from the right lane to the middle lane and you are going to have automobile traffic trying to move into the right lane. So, my question is, in the engineering design of this, has that been considered? Do they know that they are creating potentially unsafe conditions that can cause accidents, due to the dropping of traffic?

Mr. Detorre:

Mr. Wagner, as this project was designed there was a leading analysis done and, of course, all the plans have been approved by PennDOT and the federal highway people. That's one of the reasons why the ramp is so long. You will have weaving and it wasn't deemed to be a serious problem; it was considered as part of the design.

(END - MR. WAGNER'S REMARKS ON BILL NOS. 425 AND 426 - 3/21/84)

The Chair:

Mike, I'd like also, to keep that in order, I think Mr. Brophy's remarks ought to be brought forward on the final day.

Mr. Perry:

Okay.

The Chair:

Is there any futher discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. Robinson	Mr. Stone (Pres't)

AYES 6 NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 433

A Resolution entitled, "Resolution transferring the sum of $1,100,000.00

from the Water Fund to the General Fund of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 434

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of the City of Pittsburgh's Equipment Leasing Authority in the amount of $50,000.00 as reimbursement for the purchase of four vehicles for the Department of Parks and Recreation's Senior Citizen Program."

Which was read.

Also,

Bill No. 442

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Lingo Enterprises, Inc. (Robert Lundy, President), in an amount of Four Thousand Three Hundred Ten ($4,310.00) Dollars, in payment for an Emergency Contract furnished for the benefit of the City in connection with the demolition of a building and the extermination of rats and roaches at 28 Bly Street; and providing for the payment thereof."

Which was read.

Also,

Bill No. 446

A Resolution entitled, "Resolution providing for the issuance of a $1,075.00 warrant in favor of Robert and Mary Audrey Casciato in settlement of claim for property damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 447

A Resolution entitled, "Resolution providing for the issuance of a $1,203.55 warrant in favor of Steven J. Starcich in settlement of claim for vehicle damage and providing for payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski Mr. Wagner

Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 448

A Resolution entitled, "Resolution amending Resolution No. 1208, approved December 30, 1983, effective January 1, 1984, as amended, to change appropriation levels for certain code accounts."

Which was read.

Also,

Bill No. 449

A Resolution entitled, "Resolution amending Resolution No. 1209, approved December 30, 1983, effective January 1, 1984, entitled, 'Fixing the Number of Officers and Employees in all Departments for the City of Pittsburgh, and the Rate of Compensation Thereof, and Setting Minimum Levels for Designated Positions' by correcting the rate of compensation to reflect the 1984 salary rates and collective bargaining agreements."

Which was read.

Also,

Bill No. 450

A Resolution entitled, "Resolution carrying over balances or portions thereof remaining in certain code accounts for the year 1983 to the same or to other code accounts for the year 1984."

Which was read.

Also,

Bill No. 451

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various agencies, for the implementation of the City of Pittsburgh's Summer Youth Employment Program and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 453

A Resolution entitled, "Resolution amending Resolution No. 832, approved November 1, 1976, and effective November 8, 1976, entitled, 'Resolution providing for the establishment of a Law Department Imprest Fund in the amount of $500.00', by increasing the amount of said Imprest Fund to $1,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone

Mr. Robinson (Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski for Mr. Givens presented

Bill No. 556

Report of the Committee on Public Works for March 28, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 430

A Resolution entitled, "Resolution amending Resolution No. 30, approved January 30, 1984, effective February 9, 1984, entitled, 'Resolution providing for the letting of a contract or contracts, or to use existing contracts for the purchase and delivery of various water pumps and salt spreading equipment for the Department of Public Works and providing for the payment thereof,' by including provisions for the purchase of minor equipment, jackhammers, power drills, asphalt tampers, steam jenny's, and asphalt vibratory plates; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there anv discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Robinson presented

Bill No. 557

Report of the Committee on Planning, Housing and Development for March 28, 1984 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 145

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 11 by changing: From "M2" Limited Industrial District to "R5-H" Multiple-Family Residence District all that certain property bounded by : Centre Avenue; Lot No. 282, Block 84-E in the Allegheny County Block and Lot System; the "R4" zoning district boundary line located south of Centre Avenue; South Negley Avenue; the "R5-H" zoning district boundary line located east of South Negley Avenue and south of Centre Avenue, 7th Ward."

Which was read.

Mr. Grabowski:

Mr. President, on Bill No. 145, I'd like to move to recommit that bill to Committee and the reason for my motion is, I believe at the public hearing I expressed concern about this zoning change taking place and the development not going through. If that development did not go through, then we have a piece of property that is zoned residential which is currently zoned light industrial. If this high-rise does not go in there, I'd rather see that property remain light industrial in light of the poor economic times we have. At least that's another section where some employment might be generated. I asked the Law Department to draft such an amendment and they said it couldn't be done. There was not much discussion about it and I'd like it to go back to Committee so that we can expound on that.

The Chair:

Mr. Grabowski, as I recall, I had also spoken on that subject. Legally, I think where the prohibition might be, you can't say what you really want to do because it seems like it's discriminatory, you're doing it for these parties and not others. I have no problem with you getting more explanation on it.

Michelle Madoff:

I moved to Pittsburgh in 1961 and live at Centre Negley which is practically directly across the road from that building. I had a one and a half year old child and I would urge this Council to make this a residential area. It does not belong as a light industrial. The area is being renovated or upgraded; there's a beautiful apartment house across from the Centre Negley. There's the Centre Negley Apartment then there's the new apartment house that's across the road. It is literally surrounded once you get to Baum Boulevard, which is a separation, sort of a dividing line with tire manufacturers, automobile sales places. Centre Avenue ought to be brought back as residential. There are some restaurants there. One restaurant has had the worst luck; it's going out of business about eight times under different management. It's finally making it. I don't think we ought to do anything to hurt that area but keep it residential.

The Chair:

In fairness to Mr. Grabowski, I don't think he's saying he's opposed to it; he's just fearful that if it doesn't happen, what happens?

Michelle Madoff:

Let's have another residential venture go in there. Some townhouses. Something.

Mr. Robinson:

Mr. President and members of Council, out of deference to Mr. Grabowski, I'd like to make a motion to recommit Council Bill 145.

The Chair:

He's made that request; do you want to second it?

Mr. Robinson:

I'm sorry, I didn't know he had made a motion.

I second the motion.

Which motion prevailed.

Also,

Bill No. 418

A Resolution entitled, "Resolution amending Resolution 1348, effective December 31, 1982, entitled, 'Resolution amending Resolution No. 1147, approved November 8, 1982, effective November 22, 1982, entitled, 'Amending Resolution No. 1067, effective October 29, 1981, entitled, 'Providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with the Administration of the Parkway Center Shopping Mall Urban Development Action Grant Project; and providing for the payment of the cost thereof.' to increase the funds provided from $4,626,000 to $9,126,000 and to provide for the transfer to said Authority of any funds realized by the City from tap-in fees in connection with the Alpark Sewer is hereby amended by correcting the project code number and decreasing the funds provided from $9,126,000 to $8,426,000' is hereby amended to increase the funds provided from $8,426,000 to $12,626,000." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Robinson:

On Council Bill 418, I'd like to have my comments from the last two weeks relative to the Parkway Center Shopping Mall included in the record.

(BEGINNING - MR. ROBINSON'S REMARKS ON BILL NO. 418 - 3/28/84)

Mr. Robinson:

Mr. Chairman, on Council Bill No. 418, I'd like to offer the following amendment. Each member of Council should have in front of them a printed copy of this amendment. This amendment is only on Council Bill No. 418.

THE CHAIR COMMENTS

Mr. Robinson:

The amendments have to go first. The amendment would read, "Principle and Interest Payments, when paid to the Urban Redevelopment Authority by Paul Kossman, the Kossman Development Company, their successors or assigns, shall be deposited in a trust fund in such a manner that one-half, 50 percent of the principle, and all of the interest, 100 percent, shall be restricted for use in economic development activities that have a stated purpose of developing employment opportunities".

This amendment is only being made to Council Bill No. 418 which very specifically relates to the UDAG arrangement. The moneys that I'm referring to are any UDAG moneys that are forwarded pursuant to the three pieces of legislation and they would be returned and deposited according to this amendment, only the UDAG moneys, no bond fund moneys or other moneys.

MR. STONE COMMENTS

Mr. Robinson:

Half of the principle and 100 percent of the interest.

MR. STONE COMMENTS

Mr. Robinson:

If I'm not mistaken, there's a genreal trust fund now that URA has complete latitude over and that's where that other 50 percent would go.

I'd just like to make a couple of quick comments. One, if we look back to the history of this project, I think the

concerns that Mrs. Madoff raised and also that were raised by Mr. O'Malley are very valid. I don't think we should forget for one minute that one of the difficulties that we had originally in approving the UDAG and approving the project was the issue of traffic exit ramps and at that time Mr. Kossman was unwilling or unable, out of his own resources, to provide for those ramps. Because of a number of community concerns and concerns raised by this Council, we made a valid attempt to accommodate him and we did extend ourselves by indicating to HUD that we would accept responsibility for those public improvements. I think, unfortunately, we probably made a bad deal and that bad deal is now one that we probably have to live with because of the economic consequences and also due to the fact that we're pretty far along with this project. But I think it was a bad deal and we ought to admit that we made a bad deal and I think Mr. O'Malley's suggestion that we try to prevent this in the future is very appropriate and I hope Council will give due consideration to the legislation he's going to be drafting.

(END - MR. ROBINSON'S REMARKS ON BILL NO. 418 - 3/28/84)

Mr. Grabowski:

Mr. President, I'd like to make a comment about Bill 418. It has generated some controversy. As I understand this legislation, it represents the final phase of a project that the City agreed to support back in 1980 or 1981, whenever the original agreement was signed. It's unfortunate that at that time no one estimated that it would cost this greater amount of money. Nevertheless, all the parties agreed back at that time that this project was good and needed and, you know, I feel we have an obligation and rather than have the City being accused of compromising it's integrity, I feel incumbent to support this legislation.

Michelle Madoff:

I think the City is between a hard place and a rock on this bill and since there are enough votes to support it, I reiterate, I'm going to vote no on 418 as a personal protest against Mr. Kossman and his dealings with the City which are odorous and I would hope that in the future he will learn that we're not going to put up with that kind of action.

Mr. Robinson:

On 418, I'd just like to indicate that I do think we made a bad deal initially and to correct it would make a worse situation.

Mr. Wagner:

I vote aye on all bills and I'd just like to comment again, not knowing which bill pertains to the specific amount of dollars, whether it be 425, 426, or 418, that all the appropriate comments be brought forward.

(BEGINNING - MR. WAGNER'S REMARKS ON BILL NO. 418 - 3/28/84)

Mr. Wagner:

Mr. Brophy, first of all, I would like to thank you for the information that you have provided me with since last Wednesday's meeting. I had three concerns last Wednesday on number one, the interest incurred by the City in floating the bonds would be repaid by Kossman and you have indicated that it will be done. One quick question. What happens if Kossman goes bankrupt over 30 years?

Director Brophy:

We have been working with his first mortgage lenders in such that we are secured; we will have a mortgage filed on the property that would put us in the position that we can recover these funds upon foreclosure. If you'd like a more detailed answer to that, I'd call on Joe Garrity our general counsel, to describe the nature of the security.

Mr. Wagner:

Just as long as we're sure in the event that he does go bankrupt.

Director Brophy:

We're covered.

Mr. Wagner:

Number two, the question I had pertaining to the engineering design of the project and the information that you have provided me with indicates that the fourth ramp will be approximately 540 feet in length prior to actually getting on the separation of the ramp from the Parkway, which appears to be adequate distance for preparation to get off. We all know the problems of the Parkway East in the past. The design of the exit and entrance ramps have been horrible. Examples are Squirrel Hill/Greenfield; also the Greentree exit and entrance ramps. I'm pleased to see that the proper engineering has gone into this exit and entrance ramp mainly because of the bend in the road that exists there. We need to prepare the people for that exit ramp and just one suggestion I have and I would like you to incorporate it, is that a sign prior to the bend indicating "Prepare to exit" sign on the Parkway I think would eliminate some confusion and would further alert the public of the exit ramp.

The third item pertains to a safe, harmless agreement with the consultant. We know that this is important due to the fact that the present fill in the area is not stable and it's extremely important that that consultant be providing the proper information for the construction of that exit ramp and if, in the event that exit ramp is constructed and it's found to be not a quality ramp after construction is completed, we want to be sure that we can hold that consultant legally responsible and you are assuring us that that does exist.

Director Brophy:

Yes, on that last point Councilman, we have language in the contract that holds us harmless from any problems that result of negligence of the consultant with respect to work performed under the agreement. We also have the requirement and it has been met for professional liability insurance for this engineer so that we know that the engineer can handle any liability that comes up.

Mr. Wagner:

Thank you.

(END - MR. WAGNER'S REMARKS ON BILL NO. 418 - 3/28/84)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. Robinson	Mr. Stone (Pres't)

AYES 6 NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 439

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the University of Pittsburgh for a study in connection with the Infant Mortality problem in the Pittsburgh area at a cost not to exceed $10,000.00." (SPONSORED BY MR. ROBINSON)

Which was read.

Mr. Robinson:

On Council Bill 439, I'd like to have my comments from last Wednesday and Mrs. Madoff's questions and my response included in the record.

(BEGINNING - MR. ROBINSON'S CONVERSATION WITH MICHELLE MADOFF ON BILL NO. 439 - 3/28/84)

Mr. Robinson:

Also, I'd like to have attached to the bill a copy of a letter that was forwarded to the Mayor and Members of Council from Mr. Arthur J. Edmonds who is the Executive Director of the Pittsburgh Urban League, extending the assistance of the Urban League and also suggesting the involvement of additional medical personnel in this particular study.

The initial amount is simply to conduct some basic research. It is anticipated that additional moneys will be needed. Whether or not those moneys will be requested from Council at this point is unknown, but the $10,000.00 is to gather some research data and a report will be made to Council and the Administration and then some recommendation from that. I anticipate that what the Mayor is going to do once the report is complete, is appoint a blue-ribbon panel to carry out the recommendations and I'm sure part of those recommendations will be securing the necessary funds to try to arrest the problem.

Michelle Madoff:

I believe that there is a program established already — we're making a contribution of $10,000.00 to it an it is a much greater sum of funds that have already been allocated.

Mr. Robinson:

Which program is that?

Michelle Madoff:

To study the problem of infant mortality on this bill. It is something I read about in the paper as I recall it.

Mr. Robinson:

If I might Mr. Chairman, I think I know what Mrs. Madoff is referring to . This bill specifically is going to provide money to study the issue of black infant mortality in the City of Pittsburgh. There have been numerous studies conducted over the last 20 years, some of which have been conducted by physicians in the City of Pittsburgh, some of which have been conducted by

physicians and University personnel in the City of Pittsburgh. This particular study is going to be conducted by 15 doctors at the University of Pittsburgh who are affiliated with the University Health Center. I would anticipate that their study would be supplemental. Mr. Edmonds' letter indicates some activities that have been going on; it indicates some activities that the Urban League is engaged with the March of Dimes and he also very specifically indicates that my suggestion that black doctors be involved in this particular study be followed by this Council, that we indeed insist that there be some black doctors involved in this study and he has given the names of two doctors who he thinks would be involved. I plan to share that information with Dr. Thomas Detrie at the University of Pittsburgh who had put the task force together as well as the Mayor, and hopefully by Monday some black doctors will have been added to the task force. You are right, there are several things going on being funded. This is just an additional funding for the same purpose.

Michelle Madoff:

What I am saying is that $10,000.00 is a joke. This is a horrendous situation; we're just making a contribution of $10,000.00 to a great sum I would hope.

Mr. Robinson:

I don't think there's any doubt that the work of the task force and hopefully the Blue Ribbon Commission cannot be achieved at the level of $10,000.00. There are some people who have indicated that they think the $10,000.00 can be more wisely spent by contributing to an on-going study. I don't think that there's any reason not to allow the people at the University of Pittsburgh to get involved in this process and I think $10,000.00 is an appropriate figure. I think we are going to have to, in this City, determine whether or not we want to address the issue of black infant mortality, what it's going to cost and who should be involved in that process. This particular study should take about three months. During that period of time, some of the concerns that you have raised hopefully will be answered and I think if the Mayor requests of this Council any additional funds, that certainly we ought to indicate that those funds should be appropriate to the task.

(END - MR. ROBINSON'S CONVERSATION WITH MICHELLE MADOFF ON BILL NO. 439 - 3/28/84)

Mr. Robinson:

Also on 439, I'd like to indicate that I have attached to the legislation three letters, one from Dr. Oswald Nickens, one from Dr. Robert Kisner, both of whom are black physicians in this City, both of whom are experts in the area of obstetrics, and also a letter from Mr. Arthur J. Edmunds who is the Executive Director of the Urban League of Pittsburgh.

My reason for attaching these three letters to the legislation is that these three distinguished individuals have made some recommendations that I think are very important if indeed we are going to seriously address the issue of black infant mortality in the City of Pittsburgh. Both Dr. Nickens and Dr. Kisner feel that it would be appropriate to include on the task force that would do the study some black physicians who have a long history in expertise in this area. I think that their comments and suggestions are well taken and I would recommend to the University of Pittsburgh that they indeed include some black doctors on the task force that will actually accomplish the goal of gathering

statistics on black infant mortality.

As far as Mr. Edmunds' letter is concerned, his letter very clearly identifies some other efforts being launched in this area and Mrs. Madoff made reference to that about a week ago, other efforts in this area. I think it would be wise for the task force to take advantage of additional information by way of efforts of the Urban League of Pittsburgh which has been working on this particular problem for a number of years.

Also, I think it is important to note that in the legislation as presently drafted, it does not specifically indicated black infant mortality. I think for purposes of clarity, Council Bill 439 should be amended, and I so make that motion, that the legislation specifically be amended to deal with the problem of black infant mortality in the City of Pittsburgh.

The Chair:

I thought I saw that. Hold on.

Okay, I'll accept that motion; the word is not there.

Mr. Woods seconded the motion.

Which motion prevailed.

Mr. Robinson:

Just one last comment, if I might, on Council Bill 439. I also forwarded a letter to the Chancellor of the University of Pittsburgh, Dr. Wesley Posvar, relative to this issue. While I recognize the limits of the task force and the study, I think it is important to note that probably one of the base problems that relate directly to black infant mortality in the City of Pittsburgh is the lack of adequate medical care. This is not a problem that is indigenous to Pittsburgh; it is a problem that exists in every major city in this country where minority people live. The American Medical Association, in attempting to address the issue of health care in urban areas, at their recent convention, 1983 convention, indicated that unless a major commitment was made to produce and develop black health care professionals, namely doctors, in the 21st Century there will not be any health care for minority people in urban areas because survey, white doctors have indicated that they are not going to service urban residents who are black. I certainly don't presuppose to speak for the American Medical Association —

The Chair:

I hope that's not part of the new oath they took.

Mr. Robinson:

I hope not either. But I hope that certainly the University of Pittburgh, as one of the outstanding medical schools in this country, will pick up the challenge and make a major commitment to recruit, train and graduate black doctors over the next ten to fifteen years so that at least in this City we will have some assurances that people of color, particularly mothers, will be receiving quality care.

That letter to Dr. Posvar certainly was sent with full recognition of the University of Pittsburgh's outstanding record in the field of medicine and also the outstanding reputation that our City is developing as a center for medicine; also, because I think the efforts of the University of Pittsburgh in this whole area of black infant mortality should be recognized and should be congratulated. But I think I would be remiss if I didn't indicate that

there are some other things that the University can do to make sure that there are the health care professionals available in our City to take care of all segments of our population.

The Chair:

Mr. Robinson, I should not let pass that comment we just made. I sincerely hope that the students who are going to med school at all of our City of Pittsburgh schools are intending to render aid to all patients, regardless of color, race or creed. I find it rather shocking in this century that we would now have someone of a particular color or creed handling their own people.

I have some very strong feelings about our Univerity, particularly the University of Pittsburgh Health Center. When we can bring doctors from all over the world, we just can't take anybody from this community. I would hope that they would find some way to mend what they're doing because I don't think it's fair to the community who tolerates them being on tax-free property. It's about time we start addressing that subject.

Mr. Wagner:

I would like to make a comment on Bill No. 439. I questioned at last Wednesday's meeting whether or not this was a sufficient number of dollars for such a study of this magnitude. I, for one, would be in favor in the future, if it is not a sufficient number of dollars, for this Council supporting additional dollars for this type of study.

Also,

Bill No. 440

A Resolution entitled, "Resolution providing for the Issuance of Certificates of Appropriateness for exterior work on various residential structures in the Schenley Farms, Manchester and Mexican War Streets Historic Districts and for exterior work on a commercial structure in the Market Square Historic District, in the 4th Ward, 21st Ward, 22nd Ward and 1st Ward respectively."

Which was read.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 558

Report of the Committee on General Services for March 28, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 437

A Resolution entitled, "Resolution providing for the letting of a contract or contracts or the use of existing contracts for the furnishing and delivery of Wheel Locking Devices for the Department of Police, Code Account Number 1452, Equipment and Machinery, and for the payment thereof."

Which was read.

Michelle Madoff:

I'm confused. Is that not Mr. O'Malley's bill?

Mr. Perry:

Mr. O'Malley presented it but it went to the Committee on General Services.

Michelle Madoff:

Is there a companion bill with that?

Mr. Perry:

The companion bill is in the Committee on Public Safety.

Michelle Madoff:

I vote no and I'd like to explain my vote. I think it's unfortunate that things are taken out of context and one of the advantages of being able to speak for yourself. I have not said the people should not pay their penalties. When you get a ticket and you're guilty, like I have been in the past, I pay them. I can get tickets fixed; I don't get them fixed. I wish everybody else who could get them fixed would also say the same thing.

I also believe that in these times of tremendous unemployment, so many people out of work, students trying to get a place to park, the amount that we charge for violations, whether they're parking overtime or more serious violations, $32 and $37 plus a $35 fee for booting is excessive. When I asked Superintendent Coll why we didn't start with the 20 ticket offenders first of all, he said, "We have so many of them", but I never got a direct answer.

The Chair:

Hold on for a second. We are now only on whether we buy them or not. Not the other bill which is, I think, what you want to make an amendment to. This is only to purchase 15,000.

Michelle Madoff:

To buy the boots to be used for maybe people with 30 or 50 violations.

The Chair:

I think that's defined in 438.

Michelle Madoff:

I'll hold off and make my motion on the other bill.

The Chair:

How are you voting on this one?

Michelle Madoff:

Sure. Buy them. I know a couple of people I'd like to use them on.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

Bill No. 559

Report of the Committee on Parks and Recreation for March 28, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 435

A Resolution entitled, "Resolution providing for an agreement or agreements with an independent contractor to provide professional services in connection with the Department of Parks and Recreation's recreational programs, and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Robinson for Mr. O'Malley presented

Bill No. 560

Report of the Committee on Public Safety for March 28, 1984 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 438

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Five - Traffic, Chapters 501, 521, 523, and 525 by defining 'booting', permitting immobilization, providing for the hearings for immobilized vehicles and towed vehicles, and setting fee for release of immobilized vehicles."

Which was read.

Michelle Madoff:

I did not say, and I am fully in support of scofflaws, including Michelle Madoff and other members of this Council, paying their fines. If you're guilty, you pay them. However, when I asked Superintendent Coll why we could not start with really scofflaws with more than 20, I did not get an answer. In this

time of great unemployment, and the students having great difficulty finding places to park, sometimes with the best of intentions, even Councilpeople who are tied up in issues, cannot get down within the appropriate time to pay their fine and therefore we do have to pay a greater amount. I do, however, feel for the unemployed, for students and others, that the amount that we're paying right now, the fee, is really out of line with the crime; $35, $32, $37 for booting fees and penalties for parking violations are really excessive and with 10 or 20 they really add up.

I can't do anything about that law; I believe that's set in Harrisburg. But I would ask this Council to amend the bill so that we go after, in these times when the streets are all torn up — you can't even find a place Downtown; business is hurting; Market Square calls all the time about not having parking facilities; there's no where to park in the Downtown areas down near Kaufmann's — that we amend it for this first year, at least, while the City is torn up, to not put a boot on someone under 10 violations, particularly 10 violations, and since there's no way of discriminating of just overtime at a meter. I think it really would be the moral, the right and humane thing to do. I think people are hurting very badly financially. We have so many scofflaws, according to Superintendent Coll, that are well over 20; let's start with them. My concern is that a policeman is going to have a printout list, he's going to see a car with a license, the name's on the list, it's five tickets, on goes the boot. I just would like to amend Bill 438 by changing the number from 5 to 10 the number of unpaid summons issued against a vehicle to authorize the City to immobilize said vehicle by means of a wheel-locking device known as a boot.

The Chair:

The bill does not call for five. What he said was, that was a policy decision that they were making. I don't mean to abuse you but if I can, just for a moment —

Michelle Madoff:

Gee, I'm glad you don't mean to abuse me.

The Chair:

You said you had five tags. On each one of them —

Michelle Madoff:

I have none that I know of right now.

The Chair:

Before you paid them, how many notices did you get on each one?

Michelle Madoff:

They come almost immediately and the ones that I got parking on the side of the building —

The Chair:

You, originally on the day that it happened, got a tag.

Michelle Madoff:

Right.

The Chair:

Then after that you got a notice —

Michelle Madoff:

I parked, because I was out of the hospital, three times within a very short period of time on the side of the building. I didn't have the time to get down there.

The Chair:

That's not my point. How many reminders did you get after that?

Michelle Madoff:

The reminders came while I was getting the other tickets and wasn't in the frame of health to get down and I kept calling to say I was going down and never got there.

The Chair:

That's not my point. Take the oldest one you had; how many notices did you get prior to the time that you had paid it?

Michelle Madoff:

Mr. Stone, I don't know that exact figure. I'm sure it's what you would consider a reasonable length of time.

The Chair:

You probably have gotten five notices somewhere along the line.

Michelle Madoff:

The point that I'm making is, if we want to be specific, the Crown fiasco was going on, I was trying to save the City some money. The point I am making is that we had so many issue pending in Council, I didn't have five minutes to myself. I tried to get down to pay the tickets, kept calling to say I would get their, and something happened beyond my control and I couldn't get their. Other people are in the same situation. I was guilty. I do not plead mercy; I pay my tickets. I'm wrong. But I don't think that we should go out in these times and boot people with 5 violations before we boot people with at least 20 and I'm willing to settle for 10.

The Chair:

The only point I was trying to ask you because out of experience you would know how many notices you got off of that first tag. It's my understanding that roughly before they do anything, there are five possible notices.

Michelle Madoff:

I don't believe that to be fact. I think they send you two notices.

The Chair:

If a person has 5 tags, they've got 25 notices of some sort. And that's before they start dunning him, before they threaten to pick up his car.

You know, there are some people in this town, when they get a tag, they can't run fast enough to go and pay for it. That's how much they're afraid to wait.

Michelle Madoff:

There are some who get a lot of tickets who never pay. They get them fixed.

The Chair:

That's right. That's why I pay anything I get but I don't get them in the first place.

Michelle Madoff:

Let's get the big ones first. I tried very hard, since I've had some bad experiences, not to get tickets. I make every effort. I certainly make every effort not to park on the side of the building. I can't afford another new car; I just bought this one and it isn't paid for vet.

The Chair:

I didn't really want to bring you into it other than you would know how many times you got a notice on a tag.

Michelle Madoff:

I think the image that is being left with the media is that Michelle Madoff thinks she is above the law. That is not true. When guilty I pay my tickets. But I think that a police officer looking at a sheet that has five tickets on it for overtime parking, maybe it's only five minutes, is going to say, "Put the boot on!"

Mr. Woods:

Michelle, I think if you read one section of this, it says, "5 unpaid tickets within an 18 month period". That means if you have these 5 tickets for 18 months and they're not paid, then they have the right to do that. If somebody doesn't pay them in 18 months, shame on them.

Michelle Madoff:

Gee, even I don't do that. I might go a couple of months, 2 or 3 months because I'm tied up with business of Council.

Mr. Woods:

That's what the legislation says.

Michelle Madoff:

Where does it say 18 months, please?

Mr. Woods:

The second page, all the way down to the bottom of the page, the last paragraph; E. If the magistrate determines that 5 or more unpaid parking violations or citations within an 18 month period are outstanding —

Michelle Madoff:

I'm sorry, I'm not with you. You're too fast for me. What section is that?

Mr. Woods:

Under E, the bottom of the last paragraph under 3.

Michelle Madoff:

It says within an 18 month period. It doesn't say after an 18 month.

Mr. Woods:

If they haven't been paid within 18 months — if you get the first one today and you get five more, in a year and a half from today, if you haven't paid this one then you're on that list. But if you pay this one in 17 months then you still only have 4 so you're not on that list.

Michelle Madoff:

Mr. Woods, I hate to be the expert on scofflawing but when you down to court and I'm sure that's how I'll be headed in today's paper, but if you go in and you pay a ticket and the others haven't come in yet; they don't even hit the record office and computer for 2 or 3 days, if you go to pay it in advance you

can't do it. I've tried to pay my tickets when I received them and sometimes you can't pay them that day or the next day because it has not hit the computer. So, what happens is that I would prefer that it said after 18 months. I don't think it should be 18 months; I think it should be 6 months. My only point is that I don't want it on 5; I would like it on 10.

Mrs. Masloff:

If you pay the first one you only have four so they won't boot you.

Michelle Madoff:

But you might have another ticket. There are people who I am sure, and I use the example of calls I get in my office all the time, who are students.

The Chair:

Hold on a second. Ben, I think you threw us a curve here; let me straighten it out. He's talking about Section 3, Subsection B. I thought you said E.

Mr. Woods:

Paragraph 3.

Michelle Madoff:

Within an 18 month period.

The Chair:

I stand corrected, Michelle.

Michelle Madoff:

Mr. Stone, would it be in order to amend that to say, 5 tickets, if you want to leave it that way, or 10 tickets, within a 3 month period?

The Chair:

What is your pleasure?

Michelle Madoff:

Is it in order to amend it?

The Chair:

If you want to amend that paragraph you may.

Michelle Madoff:

I think that would be very helpful.

The Chair:

Is that your motion?

Michelle Madoff:

My motion would be to amend it, not pay 10 tickets within a 3 month period. Let's get that wording corrected so that I don't do what we did on salaries. I want to make it as a motion to amend Paragraph B that whether 10 tickets or more —

The Chair:

Where it says 5 you want to make it 10.

Michelle Madoff:

— 10 have not been paid after and let's make that 6 months. Ten tickets after 6 months —

The Chair:

I have a motion. Do I have a second?

Michelle Madoff:

You don't have a second.

The Chair:

It seems to me that this Council, in its infinite wisdom, has exercised —

Michelle Madoff:

I hope the first boot is for somebody on this Council with 5 tickets and I hope it isn't me.

The Chair:

If it comes they deserve it but I hope it is not.

Mr. Wagner:

Mr. President, I'd like to know if it's procedure within the City of Pittsburgh for those who receive parking violations or any type of violation, that a notice is sent out to them with each and every violation or with a certain number of violations. Can that question be answered?

Michelle Madoff:

I'll answer it. They send it on each one and you have no idea the number of tickets you have until you get down there.

The Chair:

That's the question I was asking you before.

Michelle Madoff:

Right. The other thing that happens is that when you go to settle your tickets, they somehow find all the tickets you've been exonerated from and the tickets you have paid and you pay them again and you're too angry to say, "Hey, you're charging my for more tickets than is due." That's because our good Mayor, in his infinite wisdom, decided that department heads, big burly department heads, males, should park on the side of the building but we little women should go under in the dark, the rain, the sleet and the hail — It's one I lost but you can't win them all.

Mr. Wagner:

What I do know is that in having several parking tickets in the past, I for one, have not received any notices from the City of Pittsburgh that I have accumulated them. It is quite possible that any individual could receive parking tickets, especially, and have that parking ticket removed from their car or else blown off the car and be unaware of the fact that they have had a ticket or several tickets. To my knowledge, it is not the general operating procedure that a notice be sent out to the individual owning the car that they do have or have had a ticket placed on that car.

Mrs. Masloff:

Jack, that's not so. If you get a ticket on your car, in 30 days you get a summons.

Mr. Woods:

Fifteen days you get a summons.

Mrs. Masloff:

You get a summons and you either pay them or you don't. If you don't it will continue. But you are notified that you indeed were in violation.

Mr. Wagner:

Well evidently they're missing me.

Mrs. Masloff:

Then how did you know you had a ticket?

Mr. Wagner:

Well, along with this legislation, what I would like to see the City of Pittsburgh do, and I don't know if suggesting an amendment here or not, but with the implementation of the boot, that a notice be sent out to all violators with 5 or more tickets, that this boot is now effective and that it can be used on their vehicle if, in fact, the Police Department chooses to boot their car. I think by sending out a notice to anyone who has 5 or more tickets that the possibility of receiving payment for those violations would increase drastically and we would not have to go out and boot all those cars and spend all the dollars and time involved in booting those cars.

The Chair:

Correct me if I'm wrong. I thought that Coll had indicated that that was what they were going to attempt to do in the first instance.

Michelle Madoff:

What Mr. Wagner is —

The Chair:

I know what he's talking about. He figures that if you send out a mass mailing to everyone you may not have to boot them and they'd pay.

Michelle Madoff:

Superintendent Coll indicated that policy was going to be such that we would go after scofflaws with 20 tickets or more. Unfortunately, if there's a printout with somebody with 5 tickets who is unemployed, looking for a job, doesn't even have enough money to go into a parking lot, takes a chance and parks on the street; they're really in trouble. I'm not worried about people like myself; I'm really worried about people who are really going to be hurt. I think if their name is on a printout at 5 tickets for just running over a meter, in these times with the streets dug up and nowhere to park, I think it's a little unfair. With all the best intentions in the world, their name will still be on that printoutsheet and if a police officer sees the name, that person will be booted. That's the issue. That is the real issue. And as far, Councilman Wagner, as the public knowing that if they have 5 five tickets they'r going to pay or be booted, they're going to know; we've got enough people from the media here today and somebody covered it on television. It's going to be very well publicized. People will know about the 5 tickets; we don't have to spend any money on mailing.

Mr. Woods:

Mr. President, I know for a fact that unless you accumulate 5 or more tickets, at least when you hit the 5, a final notice is sent out that you have these tickets, these summons. When you hit 5 that final notice is sent to you. I know that for a fact.

Michelle Madoff:

If you're an unemployed steelworker, where are you going to get the money?

The Chair:

Michelle, wait. I think we might pick that up as a letter from us, Mike, indicating to our Traffic Court, on those who have the violations, maybe a mailing in an effort to try to nudge them along a little bit to paying prior to the day of reckoning. That kind of a way.

Michelle Madoff:

Why? It's going to be in all the newspapers.

The Chair:

I don't think we have to do it as a requirement but I think maybe it will help expedite the collection process.

Michelle Madoff:

Mr. Stone, with all due respect, this is going to be all over the newspapers and that's a waste of taxpayers' dollars. I personally don't want to see the least able to pay, the people who have been trying, maybe, to get a job or going out to buy some groceries, not able to park, parking where they're taking a chance and having only 5 tickets running over on a meter. That was my only concern. It was not a concern for me; it was a concern for people who are hard up.

Mr. Wagner:

Mr. President, I am in total support of this legislation. I think the City has a tremendous amount to be gained here; somewhere in the area of, we all know, $4.3 million. If it's people with 3 tickets, 5 tickets, 10 tickets, I think we should somehow get the dollars that is coming to the City. I think we could do that at a much less cost by some type of a procedure at the start where we would send out, for instance, a post card which would cost 13 cents to however many violators we have, 1,000, 2,000, 3,000, to indicate to them that we do have a new program, a boot, the potential of their car being booted exists and they have a certain period of time in which to pay those fines to reduce the possibility of that happening.

The Chair:

As I indicated earlier, I think we ought to just recommend it to the Superintendent to do it rather than create a legal impediment in front of it.

Mr. Wagner:

So we will send a letter to the Superintendent suggesting that —

The Chair:

Recommending or suggesting that he might do that.

Michelle Madoff:

Mr. President, could you clarify something for me? The $32 and $37, that is set in Harrisburg? That is not something that we've done here? I know we've raised some rates at meters and we've raised rates on towing.

The Chair:

I think that was part of what they called the Benetta Bill with all the increases. That's the last increase of all the fines. That was when we needed money for the highway system.

Mr. Grabowski:

The General Assembly acts on about 4,000 bills a year; I can't remember that one.

Michelle Madoff:

It would be nice if we collected all the money, Mr. Wagner, and then we could lower the penalty.

The Chair:

Call the roll.

Michelle Madoff:

In principle I support the bill. I just think under the circumstances, the way they are today, the unemployment and the difficulty parking, I would like to make it 10 and since I can't get that, I will vote no.

The Chair:

I vote aye and relative to the boot situation, it's about time that we quit wasting our monies, our manpower, on encouraging people always to comply with the law. I don't think we owe them any courtesies now; it's about time they learn to be law abiding citizens and pay those tags that they have.

Michelle Madoff:

And I would hope that this Council would do the same thing and make sure they never get a ticket fixed.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. Robinson	Mr. Stone (Pres't)

AYES 6 NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 561

Report of the Committee on Engineering and Construction for March 28, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 443

A Resolution entitled, "Resolution amending Resolution No. 938, effective October 8, 1982, entitled, 'Providing for a Cooperation Agreement or Agreements with Carnegie Library Central Branch for design and construction to provide handicapped accessibility to the main entrance of the Central Branch; and providing for the payment of the cost thereof,' by increasing the total project allocation by Twenty Thousand ($20,000.00) Dollars."

Which was read.

Also,

Bill No. 444

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Salvucci and Associates, Inc., (Joseph Salvucci, President) for Professional Engineering Services in connection with the In-Depth Inspection of the Ohio River Boulevard Bridge No. 1 over Verner Avenue and the Ohio River Boulevard Bridge No. 2 over Eckert Street; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

I believe we have a couple of motions in order.

Mr. Robinson:

Mr. President and members of Council, it is a distinct honor and pleasure to nominate Mr. Michael Perry as City Clerk, City of Pittsburgh, and Mrs. Linda Johnson as Assistant City Clerk, City of Pittsburgh, for a term to begin April 2, 1984 and terminate the first Monday of April, 1987.

Mr. Woods seconded the motion.

Which motion prevailed.

Mr. Grabowski:

Mr. President, before I vote on this, I'd like to make a comment. I'm sure you're aware that, at one point in time, Mr. Perry was my supervisor in this office when I was an employee of Council.

The Chair:

Since that time he's our supervisor.

Mr. Grabowski:

I remember the way that he treated me some years ago —

Mr. Woods:

You just lost a vote, Mike.

Mr. Grabowski:

I wholeheartedly endorse and support this renomination.

The Chair:

Relative to both individuals, I think that City Council has been blessed in having two understanding and qualified people and it's good in City government to have people who are able and desire and do, in fact, serve. To my knowledge, I have heard no Councilman complain about either of them and they've shown the ability to work together and that obviously is to our benefit.

We wish them well in this Council, not only for the three years, but hopefully, for many, many years serving and helping all of us.

Michelle Madoff:

I forgot to ask him whether he wants a fiscal analyst but I vote for him anyway.

The Chair:

All those in favor?

The motion is unanimously carried for both Mike Perry as City Clerk and Linda Johnson as Assistant City Clerk.

(BEGINNING - REPORT AND RESOLUTIONS FROM MR. ROBINSON - PENNSYLVANIA LEAGUE OF CITIES, SOUTHWEST DISTRICT MEETING)

April 2, 1984

Dear Sirs/Madams:

I would like to take this opportunity to report on my recent participation in the Pennsylvania League of Cities Southwest District Meeting on March 30, 1984 in New Kensington, Pennsylvania.

I attended the meeting as a Member of the Pennsylvania League of Cities, Energy, Environment and Natural Resources Committee.

The purpose of the meeting was to receive an update from the staff relative to legislative developments in Harrisburg and Washington, to elect District Officers, receive information relative to the State Convention in June, and to adopt resolutions to be considered at the Convention.

I introduced two resolutions at the District Meeting which were adopted.

One requested the Pennsylvania League of Cities support Pennsylvania House Bills 1275, 1278, 1279 and 1281 of 1983 which would authorize all units of local or municipal goverment in the Commonwealth of Pennsylvania to levy the "Land Tax" or "Site Value Tax".

Two, a resolution in support of Pennsylvania Senate Bill 1179 which would authorize local justices of the peace to sentence misdemeanor offenders to supervised programs directed towards community services.

If passed by the legislature, Senate Bill 1179 would give our local justices the power to order misdemeanor offenders to work for organizations such as the Pittsburgh Clean City Committee.

A copy of both resolutions is attached to this report.

Additional information relative to the Southwest District Meeting will be made available upon request.

Respectfully yours,

William Russell Robinson
Chairman
Planning, Housing and Development

RESOLUTION

WHEREAS, the Pennsylvania League of Cities has demonstrated a consistent and substantial concern for the fiscal stability of all political subdivisions in the Commonwealth of Pennsylvania; and

WHEREAS, the revenue base for most communities in Pennsylvania is deteriorating and the burdens of financing municipal government are increasing; and

WHEREAS, one solution to the continuing problems of fiscal stability and financial solvency and flexibility is to allow local units of Government greater latitude in taxation; and

WHEREAS, the Pennsylvania Legislature is presently considering House Bill 1275 of 1983 which specifically would authorize some local units of Government, Boroughs, to levy

different rates of taxation on land and buildings; and

WHEREAS, House Bills 1277, 1278, 1279, 1280 and 1281 of 1983 also give to Townships, Towns, and Counties the same authorization contained in House Bill 1275.

NOW, THEREFORE,

BE IT RESOLVED, that the Southwest District, Pennsylvania League of Cities, does encourage the Pennsylvania Legislature to support and enact House Bills 1275, 1276, 1278, 1279, 1280 and 1281 of 1983.

BE IT FURTHER RESOLVED, that the Southwest District, Pennsylvania League of Cities, does encourage the Pennsylvania Legislature to support and enact Senate Bills 690 and 696 which provides for local units of Government to levy separate rates of taxation on land and buildings.

RESOLUTION

WHEREAS, the Pennsylvania League of Cities has demonstrated its concern for the environment of our Commonwealth; and

WHEREAS, the disposal of solid waste, recycling and beautification efforts are primary objectives of our environment program to improve the quality of life in the Commonwealth of Pennsylvania; and

WHEREAS, the establishment of comprehensive anti-litter and beautification programs require the enforcement of existing laws and regulations as well as administrative procedures.

NOW, THEREFORE,

BE IT RESOLVED, that the Southwest District, Pennsylvania League of Cities, does support the purpose and intent of Senate Bill Number 1179 of 1983 (Pennsylvania General Assembly), which would authorize district justices to sentence persons found guilty of misdemeanors, to participate in public service programs which could have as their object the improvement of the quality of the environment.

(END - LETTER AND RESOLUTIONS FROM MR. ROBINSON)

Mr. Woods moved to excuse Mr. Givens and Mr. O'Malley for absence from the meeting.

Michelle Madoff seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Woods**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, April 9, 1984 No. 15

Municipal Record

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, April 9, 1984

PRESENT:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

ABSENT:

Mr. Givens

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mrs. Masloff presents

Bill No. 591 WHEREAS, the Almighty God, in His infinte wisdom, has removed from our midst, by death, Nicholas Rade Stone, on Wednesday, April 4, 1984; and

WHEREAS, Mr. Stone was a highly respected Attorney and made a great impact within his community, his church, his civic and fraternal, military, political, and legal activities; and

WHEREAS, among his numerous accomplishments, Attorney Stone was former Assistant District Attorney; served on the City of Pittsburgh Municipal Pension Board as Solicitor; Legal Advisor to the Serbian National Federation and served on many of their committees; Legal Advisor for the National Slovak Society; and President of the South Side Community Council and South Side Chamber of Commerce, and later selected "Man of the Year" by the Chamber; and

WHEREAS, Mr. Stone was most active in the Serbian Orthodox Church, and was the leading force in the unity of the St. George and St. Sava Serbian Orthodox Churches into the new Holy Trinity Serbian Orthodox Church of Pittsburgh, and is referred to as the "Father of the Unity Movement". He served as president of the Holy Trinity Church and was honored by the church membership and served as Kum of the Consecration of the new Church;

WHEREAS, Mr. Stone was deeply

loved by all who knew him, and will be greatly missed;

NOW THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City Council hereby express grief and sorrow over the death of Nicholas Rade Stone, who was a fine lawyer, a civic leader of renown, a humanitarian, and a person of loyalty and devotion to mankind.

BE IT FURTHER RESOLVED, that this Council extend sincere sympathy to the bereaved family, and that this resolution be spread upon the minutes of the Council of the City of Pittsburgh as a lasting tribute to his memory.

Mrs. Masloff moved to adopt the resolution.

Mr. Woods seconded the motion.

Which motion prevailed.

The Chair:

While we're on this subject, might I on behalf of my family and the family of my brother Nick, extend our heartfelt thanks to everyone who paid their respects and helped to lessen the load during our trying times this past weekend.

Mr. Wagner:

Mr. President, Members of Council, ladies and gentlemen, all too often we hear negative things about our youth. I'm very happy today because we can talk about some very positive things about our youth.

Today is a happy day for me, for the community of Brookline, and also the City of Pittsburgh. Our Lady of Loreto girls' basketball team and Resurrection boys' basketball team recently won the State Catholic Basketball Championship. Both are from the same community, the community of Brookline. I do not know of any time in recent history when that has been achieved and I think it's a real tribute to the Brookline community.

First of all, I'd like to ask our lady of Loreto basketball team to step forward for the reading of Resolution No. 284. We have seen great stides in recent years in athletics for women and I think our Lady of Loreto is an example of that.

Mr. Wagner presents

Bill No. 593 WHEREAS, on March 25, 1984, Our Lady of Loreto Grade School girl's basketball team captured the State Catholic Elementary Girl's Championship title by defeating Saint Joseph of York by a score of 37-29; and

WHEREAS, because of their brilliant regular season play, which resulted in 36 wins and only 2 losses, the Loreto Lions are deserving recipients of this award; and

WHEREAS, helping lead this Brookline team to its second State title in five years were: Maureen McConnell, Sherri Ray, Alisa Favero, Cathy Doyle, Michelle Little, Colleen McDermott, Michelle Talak, Melissa Talak, and Tina Vezendy; and

WHEREAS, the Loreto Lions, through their outstanding team play, have brought honor and prestige not only to themselves but also to the entire City of Pittsburgh.

NOW THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City

Council hereby extend their congratulations to Our Lady of Loreto "Lions" basketball team, and their coaching staff headed by Dan Kail, on their outstanding regular season play and for winning the State Catholic Elementary Girl's Championship title.

BE IT FURTHER RESOLVED, that this Council also congratulates Pastor Father Chat, Principal Sister Rita, and the entire administration and faculty for their supportive efforts in helping to form the character necessary to make champions.

Mr. Wagner moved to adopt the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. Wagner:

We would like next to read Resolution No. 283 and then we're going to have Father John say a few words for both teams and also Mayor Caliguiri.

Would the Resurrection team and coach please step forward.

Also,

Bill No. 592 WHEREAS, on April 1, 1984, the Resurrection Grade School boy's basketball team won the Pennsylvania State Catholic Elementary Boy's Championship title by defeating St. Paul's of Scranton by a score of 59-42; and

WHEREAS, this victory culminated a brilliant season of 28 wins and 5 losses, and distinguishes the team as being the first and only Resurrection team to win the State title; and

WHEREAS, the members of the Resurrection Raiders basketball team that have achieved this esteemed goal are: Chris Sestilli, Billy Joe Spratt, Bill Lonero, Dave Binkowski, Steve Rossa, Jim Walsh, Mike Brown, Anthony DeLuliis, Darren Thomas, Frank Battista, and Mario Panucci; and

WHEREAS, the Resurrection Raiders, through their dilligent basketball skills and team spirit, have brought honor and prestige to their school and to the City of Pittsburgh.

NOW THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of the Pittsburgh City Council, hereby congratulate the Resurrection "Raiders" Grade School boy's basketball team, Head Coach Angelo Masullo and Assistant Coach John Lee, on their brilliant regular season play and for capturing the Pennsylvania State Catholic Elementary Boy's Championship title.

BE IT FURTHER RESOLVED, that this Council wishes to commend Pastor Father John McMahon, Assistant Pastor Father John Marcuci, Principle Sister Claudia, and the entire administration and faculty for the support and inspiration they have given to these boys in helping them to achieve the honor of being called "Champions".

Mr. Wagner moved to adopt the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. Wagner:

Father John, would you please step forward to say a few words on behalf of both teams?

Father John Marcuci:

I've been chosen, I guess, by both groups to kind of say something and I imagine I mght say something in terms of the deep appreciate we have that the Council of this City would take some time out to honor some young folks who have really done well. Certainly I speak on behalf of Father Chat and Sister Rita and all the folks of Loreto and Father McMahon and Sister Claudia and the people of Resurrection and I thought that maybe I could say three brief points, if you don't mind.

Number one is athletically; if you were at either of those games you'd know that these young people, these eleven guvs and these nine girls, are typical Pittsburgh athletes; we are defense people. You know that with the football teams, you know that at the baseball games, and these two teams are just tenaciously defensive and that's precisely how they blew out everybody in the State that came against them. They just have a tremendous defense and they are just part of being Pittsburgh.

The second point we make just in terms of Brookline, that we really feel a sense of being part of the City and I'm sure the youngsters will always remember what the Council of this City has done for them this day because no matter what people say about whatever in this City, the folks in Brookline have backed their political people, have backed their Mayor, have backed all those who have a responsibility in the City and that's what these young people learn, not only in the Catholic schools where they go but from their families and the whole sense. As Jack mentioned, you sometimes find some youngsters that don't really live up to the standards of being American or Christian or Jewish or Muslim or whatever, but these young people are not in that category and they represent, I think very finely, what this City is all about.

Maybe just thirdly, religiously, since they come from two Catholic grade schools, that's it's just a very fine thing for us in Brookline. Our Lady of Loret is celebrating it's 25th anniversary as a Catholic Christian community this year and this just fits right into that celebration. The Church of the Resurrection is celebrating it's 75th anniversary as a Christian community and all during this year we're kind of building up to our May 20th celebration, which even Mayor Caliguiri is going to share some time with us in our celebration, and so this just fits very nicely into what we are doing as two parishes. For those that know the history of the Catholic church in Pittsburgh, at one time they were all one church, one Catholic community of Brookline that had become so increasingly Catholic and so dedicated to the Gospel that they broke into various Christian communities. But way back in our hearts we're still all one in the Lord Jesus in that community and these young people really represent that in a great sense.

We'd like to thank, obviously, Mr. Wagner for recognizing both of us this year and certainly the time that Council has afforded us in allowing us to come because we honestly believe that this is an experience that these young people, and us oldies, probably won't forget. We just want to let you know that whatever the action is of this Council, that it's certainly in our prayers each day and in our commitment to God as our Father we'll remember your intentions.

Thanks a lot for recognizing us.

The Chair:

I would now like to present the

Mayor of the City of Pittsburgh, the Honorable Richard Caliguiri.

Mayor Caliguiri:

Thank you Mr. President, Jack, Members of Council, friends and teams. With that kind of enthusiasm, Father, I don't know how we can lose. That's just marvelous and that's the way it should be.

Since the Steelers and Pirates haven't been winning lately, I'm so happy to see that we have our two champions here. You're both to be congratulated because it's not only the professional sports teams that we're very proud of because we have more of our high schools and grade schools playing across this state. I'm just so pleased to see two teams from Brookline, a City neighborhood, do so well. When I see those impressive records — How tall are you? Six two? Ann said he's five nine but that's for the record; he's really six two.

But I think it's just marvelous that you keep the tradition of Pittsburgh which is the City of Champions and, of course, we're so very proud of you because Pittsburghers are proud people. Friendly but proud. I'm sure the others across the state are so envious of us today. You just make me so proud, myself and members of Council, that we're part of this City; that you've given us the name once again, Pittsburgh, a City of Champions.

I wish you well again in the future. Good luck and best wishes to both teams. Thank you so much.

The Chair:

Permit me to present on the left side, the Our Lady of Loreto Grade School Girls' Basketball Team, State Catholic Elementary School Championship Team.

On the right, the Resurrection Grade School Boys' Basketball Team, Pennsylvania State Catholic Elementary Boys' Champions.

I'm sure, Councilman Wagner, you wouldn't want them to leave until they got their just rewards and I think you have a resolution for all of them and we'll take time to make that presentation.

Mr. Wagner:

I'd like to end by simply stating that we'll hand these out outside individually because I'm not sure which one goes to whom. But we do have three resolutions that are framed and then we have loose resolutions. If there's not a sufficient number, we will have others made.

Lastly, I'd like to thank both churches and schools for making Pittsburgh a better City and outside in the hall we have some refreshments for all of you and we'd like to join you out there.

Thank you very much.

Mr. Grabowski for Mr. Givens presented

No. 564 Resolution vacating a 20-foot Unnamed Way from Reese Street to a 30-foot Unnamed Way Street, 102.55 feet south of Grandview Avenue in the 19th Ward of the City of Pittsburgh, excepting and reserving an easement for the 8-inch T.C. Sewer Line located therein.

Also,

No. 565 Resolution vacating Francis Street between Wylie Avenue

and Webster Avenue, Montague Way between Mayberry Way and Centennial Way, Conkling Street between Mayberry Way and Webster Avenue, Mayberry Way between Montague Way and Francis Street and Centennial Way between Conkling Street and Francis Street in the 5th Ward of the City of Pittsburgh. Excepting and reserving easements for the 18 inch T.C. pipe combination sewer and the 20 inch and 8 inch waterlines in Francis Street, the 8 inch waterline and the 15 inch T.C. pipe combination sewer extending from Centennial Way to a point approximately 45 feet southwardly therefrom in Montague Way the 12 inch T.C. pipe combination sewer extending from Webster Avenue to Centennial Way in Conkling Street and the 12 inch T.C. pipe combination sewer extending from Conkling Street to Montague Way in Centennial Way.

Also,

No. 566 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for Street Lighting Transfers at various locations throughout the City, at a cost not to exceed $50,000.00 payable from Code Account No. PW 84-24, Street Lights Transfer.

Which were severally read and referred to the Committee on Public Works.

Michelle Madoff presented

No. 567 Resolution providing for the issuance of a warrant in favor of American Society for Microbiology, 1913 I Street N.W. Washington, D.C. 20006, in the amount of $397.00 in payment for Publication and Reprints of an article submitted to said Society by John Kuchta of the Dept. of Water, chargeable to and payable from Code Account No. 1701, Misc. Services, Dept. of Water.

Which was read and referred to the Committee on Finance.

Also,

No. 568 An Ordinance amending the Pittsburgh Code, Title Three, Water by amending Article III, Water Distribution, Chapter 313, Water Meters and Article VII, Assessment, Billing and Exonerations, Chapter 343 - Estimates and Appeals and Chapter 349, Exonerations.

Which was read and referred to the Committee on Water.

Mrs. Masloff presented

No. 569 Resolution providing for an Agreement or Agreements with Ernest T. Williams Center, for the performance of professional services in connection with their 1984 Baseball Program and transferring the sum of $3,021.00 from Code Account 10, Accounts Payable, Prior Years, to Code Account 1838, Dept. of Parks and Recreation.
—(SPONSORED BY MRS. MASLOFF)

Which was read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 570 Resolution providing for the issuance of warrants in favor of Police Officers, in the amount of $27,466.06, in payment for travel and meals incurred while in training, chargeable to and payable from the Police Recruit and In-Service Training (PRI-ST) Special Trust Fund No. 2, Pittsburgh National Bank.

Also,

No. 571 Resolution providing for the issuance of a warrant in favor of

Burroughs Corporation, in the amount of $334.00 for repairs to the Criminal Identification Computer, chargeable to and payable from the City-County Integrated Identification System Project (C-CIISP) Special Trust Fund No. 2, Pittsburgh National Bank.

Which were read and referred to the Committee on Finance.

Also,

No. 572 Resolution providing for the letting of a Contract or Contracts or the use of existing Contracts for the furnishing and delivery of an electronic target system for the Dept. of Police, at a cost not to exceed $24,183.00 payable from Code Account No. PRIST (253450), Police Recruit In-Service Training, Dept. of Police.

Which was read and referred to the Committee on General Services.

Mr. Robinson presented

No. 573 Resolution establishing a First Source Employment Agreement procedure as a policy for coordinating and implementing City of Pittsburgh economic development and employment programs. **—(SPONSORED BY MR. ROBINSON)**

Also,

No. 574 Communication from Robert H. Lurcott, Director, Dept. of City Planning, requesting reimbursement for expenses for Joan Ivey, Chairperson, City Historic Review Commission, to attend the annual State Conference on Historic Preservation in Lancaster, PA on April 24-27, 1984, at a cost not to exceed $400.00, payable from Community Block Grant Program, Department of City Planning, Administration, Code Account CDPA. The purpose of this conference is to provide preservation professionals and local board members with the most up-to-date information on commercial revitalization and local historic commission administration.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 575 Resolution providing for the issuance of a warrant in favor of Guilli Contracting Company, in the amount of $5,400.00, in payment for Extra Work, being in addition to the original contract price of $112,921.00 on Controller's Contract No. 26478, furnished for the benefit of the City in connection with the Renovation at Friendship Park, chargeable to and payable from the Friendship Park Trust Fund, FP. Prior approval granted by Council on January 27, 1984.

Also,

No. 576 Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company, (Charles A. DiNardo, Vice President), in the amount of $74,700.00, in payment for Extra Work, being in addition to the original contract price of $396,765.55, on Controller's Contract No. 26253, in connection with the cleaning, repairing and cement lining of a 42-1/2" main in Baker and Butler Streets, chargeable to and payable from Code Account No. WD-82-03, 4-05-10-0100-82, Clean, Repair Cement Line Waterlines at Various Locations, Index Code Account No. 310656 (4-13-48-0100-82).

Which were read and referred to the Committee on Finance.

Also,

No. 577 Resolution further amending Res. No. 851, approved August 12, 1982, as amended, providing for an Agreement or Agreements or Supplemental Agreement/s with A.M. Richardson Associates, for professional engineering services in connection with the design or Monroe Street reconstruction, by increasing the total project allocation from $34,750.00 to $38,250.00 payable from Code Account PW 84-46, Geotechnical Engineering Contracts.

Also,

No. 578 Resolution further amending Resolution No. 201, approved February 26, 1981, as amended, authorizing the City Treasurer on behalf of the City of Pittsburgh to accept funds from the Port Authority of Allegheny County, the Urban Redevelopment Authority, and the Pennsylvania Dept. of Transportation for consulting services in conjunction with the transportation coordinating for the Central Business District; providing for the creating of a trust fund for receipt and payment of the respective shares; and providing for an Agreement/s with the above-mentioned parties in connection with the transportation coordination of the Central Business District, by increasing the total cost from $100,000 to $127,400.00, and increasing the City's share from $47,050.00 to $67,050.00.

Also,

No. 579 Resolution further amending Resolution No. 1445, approved December 29, 1981, effective January 1, 1982, as amended, entitled "Resolution adopting and approving the 1982 Capital Budget and the 1982 Community Development Block Grant Program; and approving the 1982 through 1987 Capital Improvement Program," by redefining the funding sources. This amendment will provide the necessary allocation for the continuation of Consulting Services in conjunction with the Transportation Coordination for the Central Business Project.

Also,

No. 580 Communication from Paul J. McDermott, Director, Department of Engineering and Construction, requesting authorization for himself, John F. Valent, Richard L. Connors, John Weres, Donald Killmeyer, Mark Stempkowski, Joseph Tumas and Joseph Semieraro to attend the International Bridge Conference and Exhibition at the Pittsburgh Hilton Hotel on June 4-6, 1984, at a cost not to exceed $1,130.00 payable from Code Account No. 1482, Misc. Services, Dept. of Engineering and Construction. This conference will be invaluable to the Department of Engineering and Construction's personnel in planning, design and construction future Capital Projects.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Woods presented

No. 581 Resolution revising Resolution No. 1208, approved December 30, 1983, effective January 1, 1984, as amended, to change appropriation levels for certain code accounts.

Also,

No. 582 Resolution revising Resolution No. 1209, approved December 30, 1983, effective January 1, 1984, entitled "Fixing the Number of Officers and Employees in all Departments of the City of Pittsburgh, and the Rate of Compensation Thereof, and Setting Minimum Levels for Designated

Positions" by correcting the rate of compensation to reflect the 1984 salary rates and collective bargaining agreements.

Which were read and referred to the Committee on Finance.

Mr. Woods moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 583 Resolution authorizing the Mayor to issue and the City Controller to countersign a duplicate warrant to William F. Lloyd, Etal, in the amount of $9,941.90 to replace Warrant No. P007051, dated April 14, 1984, which was lost, stolen or inadvertently destroyed.

Also,

No. 584 Resolution providing for an Agreement or Agreements with Peat, Marwick, Mitchell and Company for auditing services in connection with the Municipal Pension Fund, the Policemen's Relief and Pension Fund and the Firemen's Relief and Pension Fund, for the year ending December 31, 1983 and providing for the payment of the cost not to exceed $12,000.00 payable from Code Account 55 (005504), Code Account No. 56, (005603) and Code Account No. 58 (005801). Prior approval granted by Council.

Which were read and referred to the Committee on Finance.

UNFINISHED BUSINESS

The Chair presents

Bill No. 387 Resolution reappointing Mr. John Busse of 1575 Noblestown Road, Pittsburgh, Pennsylvania 15220 to the Board of Code Review for a term to expire December, 1986.

Which was read.

Michelle Madoff:

Who is he?

The Chair:

He is the gentleman who has been serving on that Committee —

Michelle Madoff:

Was he here before Council to come back?

The Chair:

This is a reappointment.

Michelle Madoff:

I know; did we see him again?

Mr. Perry:

He was here Wednesday.

Michelle Madoff:

He was? That was the gentleman who was here Wednesday? That's what I though. I recognized the name. Okay.

Mr. Woods moved to approve the reappointment.

Mr. Robinson seconded the motion.

Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 585

Report of the Committee on Finance for April 4, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 498

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Sciulli Brothers, Inc., (Michaelangelo Sciulli, President) of 3718 Dawson Street, Pgh., Pennsylvania, 15213, in the amount of Four Thousand Eight Hundred Fifty ($4,850.00) Dollars, in payment for Extra Work, being in addition to the original contract price of One Hundred Ninety Five Thousand Two ($195,002.00), on Controller's No. 26619, furnished for the benefit of the City in connection with Relay of Waterlines on Edwin Street, Dalton Avenue, and Doak Way, without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 499

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Mosites Construction Company (S. T. Mosites, President) in the amount of Two Thousand Dollars and Ninety Cents ($2,000.90) in payment of interest on the final payment for the Larimer Avenue Bridge Project; and providing for the payment thereof."

Which was read.

Also,

Bill No. 500

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the American Painting Company (Nick Chirigos, President), in the amount of Six Thousand Forty Nine ($6,049.00) Dollars, in payment for Extra Work, being in addition to the original contract price of Two Hundred Thirty One Thousand Five Hundred ($231,500.00) Dollars, on Controller's Contract No. 26426, furnished for the benefit of the City in connection with the Rehabilitation of the Robert McAfee Bridge, Phase 2; and providing for the payment thereof."

Which was read.

Also,

Bill No. 501

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of VIN Construction Company, Inc., (V. A. Manfredi, Jr., President), in the amount of $39,212.00 in payment for Extra Work, being in addition to the original contract price of $949,700.00 on Controller's Contract No. 26482, in connection with the general contract for the renovation of Phipps Conservatory, Phase I, the Fern and Victoria Regia Rooms, without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 504

A Resolution entitled, "Resolution providing for the issuance of warrants in the aggregate amount not to exceed $17,980.00 in favor of persons who provide professional proctoring and coordinating services for the benefit of the City in connection with the administration of the Dept. of Personnel and Civil Service Commission's 1984 Firefighter Performance Examination on April 25, 26, & 27, 1984, and providing for the payment thereof."

Which was read.

Michelle Madoff:

On Bill 504, the bill on Firefighters is introduced, — Is this the changing of the test? I would like to address this bill.

This is a crucial public safety issue. Once again Council has been asked to vote without adequate background information. With the approval of the President of City Council and the approval of my colleagues, I'm requesting that we view the new firefighters' test. I would only take five and a half minutes time before a very crucial vote. The Cable Bureau has prepared this film so that the public, after tomorrow, could also view the exam. I would like to view it before the public sees it.

It is my understanding that no member of Council has, as yet, viewed this tape. I would, however, caution my colleagues that this is an enactment of a new exam and we cannot compare it to the 1978 exam because the Cable Bureau was not in existence at that time. As usual, Council was expected to vote on this crucial issue without adequate background information. Not only did we not see this film but it was only this morning that I received a written copy of the physical exam with illustrations. The 1978 test, developed by Dr. Verducci, and he is not using it now, was found illegal and invalid in a class action suit against the City of San Francisco in 1979 or in 1980, we're not sure whether it was the end of '79 or the beginning of '80.

Since that time, all major cities have been searching for fairer tests involving many dollars in lost back pay and salary compensation. The test was found illegal because it must meet three criteria; it must be job related, valid and fair, no unfair, adverse impact on all groups, particularly 90-95 percent of women had failed the previous test.

Certainly, as a Councilmember and as a representative of the public, I don't want any test that is going to endanger the public's safety.

This is not a male versus female issue but let me remind you that physical testing in the Fire Department only began in 1972, coincidentally after the civil rights legislation of the '60's and court ordered enforcement in 1972, under Federal uniform selection guidelines. The new test was supposedly developed after detailed analysis of firefighting duties actually instead of perceived. In other words, what really goes on as opposed to what we think goes on. They found the first test not to be a valid test; they found that this test is a valid test. The test is used to keep women out and not to test the qualifications of firefighters. If this were an important test, firefighters should have to pass it at least every fifth year. We're talking about the original test. There is one woman firefighter and she carried the sandbag.

As Councilman Robinson point out on Wednesday, if this testing is crucial, why does it not continue? Why aren't

tests given, as I point out, at least, I think he pointed out every year and I'm saying every five.

I've taken the liberty, my office, my research assistants are both here, Carmen Guenther and Linda, have taken the liberty of examinating the workers' compensation report of October 1 to December 31, for the last quarter. We found a staggering number of claims which were work related but not related to the dragging or carrying of victims. I think it's over $2 million and it had nothing to do with the carrying of victims but rather to injuries which were strains and sprains, working with hoselines and so on. I believe the total comes to, which would not surprise us in light of the fact that we have a $40 million, last time we had the figure, on unfunded workmen's comp debt. It comes to $2.8 million for the last quarter. The type of claims that were made were for picking up or pulling a hose; somebody sat down and had a heart attack and weren't even near a fire; people being in fire, cleaning a hose, emptying a hose, not related to working with hose lines, straining a back with a ladder. Some of the heart attacks had nothing to do with lifting anybody at all.

In summary, I think what I'm saying is that the new test was designed not to be discriminatory against those women who are capable of pulling —

The Chair:

I assume you're for this?

Michelle Madoff:

No, I'm saying that I'm for the new test, not the old test.

The Chair:

That's what I said. That's what this is.

Michelle Madoff:

I'm sorry. I am supporting the new test and I'm asking that we see the new test in the five and a half minute film. Is that alright with the President of this Council and my colleagues?

The Chair:

Do you mean now?

Michelle Madoff:

Yes. We've got it ready to go. They're waiting. We also have the body; we have the sandbag ready. I believe Mr. Wagner requested that.

Mr. O'Malley:

I second that motion.

The Chair:

Alright.

Michelle Madoff:

I'm tired of voting without having information.

The Chair:

Alright, alright. Don't get your dander up. You asked for something and you're going to get it.

Michelle Madoff:

If I don't get my dander up, do you promise never to get your dander up?

Mr. Woods:

Mr. President, would it be proper to make a motion to recess for five and a half minutes?

The Chair:

We'll recess for the purpose of —

Michelle Madoff:

Why? Why not show it?

Mr. Woods:

Just so we can get up. That's all I'm saying.

The Chair:

Wait. You asked to see the movie, right?

Michelle Madoff:

Yes.

The Chair:

I'm going to let you see the movie. That's all.

Michelle Madoff:

Fine. But we don't need to recess, do we?

Mr. Wagner:

Mr. President, I have gone to great lengths today to obtain a sandbag from the old test and also the dummy of the new test. We have them both with us today and I would like for us to look at both sometime after the test, and the actual use of those items and the testing procedures.

The Chair:

Do you mean after the movie?

Mr. Wagner:

Yes.

AT THIS TIME, THE FIVE AND A HALF MINUTE MOVIE ON TESTING PROCEDURES FOR FIREFIGHTERS WAS SHOWN.

Michelle Madoff:

Mr. President, I think that test —

The Chair:

Before you do that can I ask you a question? Would you rather do the other test immediately and then come back to your comments?

Michelle Madoff:

That's exactly the point I'm on. Exactly the point, sir. I would think that that proves that that is a very rigid test. I went back myself; I weigh 110 pounds, soaking, and I couldn't lift that body. I wouldn't pass that test but those women who can should be allowed the opportunity, the same as men, and it should a non-discriminatory test. Mayor Caliguiri couldn't pass it either. I take my shoes off and we eyeball each other.

Mr. O'Malley:

Michelle, what does that dummy weight that has to be dragged through the course?

Michelle Madoff:

One hundred forty-five pounds. Go try and pull it; I just did.

Mr. Wagner:

Mr. President and members of Council, I have a few things I want to say. There is a dummy in the other room; it is not the same dummy that is in that film. It does not have a rope behind it's shoulders.

Michelle Madoff:

At least they can see what it's like.

Mr. Wagner:

It weighs 145 pounds.

Michelle Madoff:

I want to compare the two.

The Chair:

Let him finish first. Let him do what he wants to do.

Mr. Wagner:

Mr. President and members of Council, this sandbag was used in the 1978 physical examination for firefighters; it weighs 125 pounds. The firefighters were required to lift this sandbag, put it over their shoulder in a firemen's carry, and run with it through an obstacle course up to 500 feet long. Today's exam requires the use of this dummy that weighs 145 pounds, 20 pounds more, with a rope behind the back. First of all, I want you to know that a firefighter will never find a person with a rope like this behind their back, number one. Number two, it is much easier to grab this dummy behind the back, as they suggested in the film, and pull like that. That is a very, very unrealistic situation in a fire. You do not pull a person downstairs, upstairs, down a ladder, or through debris or possibly even through a fire.

So, this portion of the present exam, which I suspect is a critical portion of that exam, is not realistic to life or the type of situation that a firefighter encounters. This bag, as awkward as it may look, is more realistic. The reason being is that a firefighter is required to lift this, to dead lift it, put it on their shoulder and carry it through an obstacle course, not drag it, but actually lift it. In order to lift 125 pounds, which is less than the average human being, is much, much more difficult than pulling that dummy.

So, what I'm saying to you quite frankly is, we are lessening the standards of those that we are attempting to hire in the Fire Department. Consequently, we are subjecting the people of this City and the firefighters that we hire to greater hazards and possibly are actually subjecting them to loss of life and increasing the liability of the City of Pittsburgh.

City Council knew essentially nothing about this examination; we've had no input to it. We do today have some input because we are being asked to allocate approximately $18,000 of taxpayers' money for the proctoring and the administration of a physical examination. I feel this is an inferior physical examination. This Council has the responsibility to use our tax dollars wisely; I feel if we are giving or if we are allocating $18,000, it should not be for a test that pulls something that is not realistic to an actual, everyday fire.

I'd also like to state that I spoke with Chief Lewis today and he indicated that interestingly enough, firefighters are required to rescue, do you know whom the most? Firefighters. Many times, firefighters become disabled in a fire and another firefighter must then lift that firefighter up that may be unconscious, that has inhaled too much smoke, and carry that person out of the fire. You cannot drag someone out a window when the window may be this high. You cannot drag them out that window; you have to lift them. I challenge anyone, I know I'm not going to do it because I may not be able to do it,

to lift this 125 pounds up. I may not be able to do that.

Michelle Madoff:

But there may be some women who can.

Mr. Wagner:

Let him finish and then we'll go back. Don't start any crisscross debates on it yet.

Mr. Wagner:

My final point is that if we expose the past examination, which is a far superior examination, to the 2,600 applicants that we have left, those people, no matter who they are, will be able to train and will be able to prepare themselves physically so that they can pass that test. I don't care who that individual is and that includes lifting 125 pounds. We know that people today are much more into body building, weight lifting, physical activities. What I am suggesting is that the City of Pittsburgh is not properly exposing the past test, the requirements of the test and is taking the easy way out by adopting new standards that are inferior standards and are subjecting not only the firefighters but the residents of our City.

Michelle Madoff:

May I respond, Mr. President? Let's deal in the real world. In the real world, when we got into the auto emissions monies that were shut off, we couldn't build bridges. The real world says that the new test is the legal test. If we go back, Mr. Wagner, to the old test, we do not get — It becomes illegal and perhaps we hold up the hiring of firemen. I'm concerned about that.

Secondly, everybody who knows anything about fires knows that what you want to do is stay as low as you can because there are more people hurt from smoke than there are from anything else, from fire actually. So, the closer to the ground, and I presume that's one of the reasons they do the dragging of the person —

Is there somebody here from the Fire Department? Is anybody here that is presently in the Fire Department?

The point I wanted to make is, I assume that when the talked about the strap, and it needs clarification, and as I said, we only got this information this morning, is that there must be a strap put around the person so that you can drag them out. I don't presume you're going to pull on their clothing. There must be something they take up when somebody is found to put on to drag them out. Nobody, I presume, is born with a strap; Mr. Wagner, I agree with you.

The thing I'm very concerned about is two things. One that we don't hold up hiring of firemen because it was found to be illegal. Secondly, I think the test, it appears to me, to be non-discriminatory, the new test, in that it provides for both males and females passing the test.

Important as the people who are here today, they had somebody in their community who had to be taken out of a fire physcially. I don't want to diminish that. I think that it becomes very important to address two major additional issues. One is, if indeed we are going back to the old test, Mr. Wagner, then I would presume you are saying — I'm not saying that you are saying but I want to make sure I'm not speaking for you incorrectly — that you want every fireman to take that test every year?

Mr. Wagner:

Would you please restate that?

Michelle Madoff:

Would you like the original test, if we went back to using the illegal test, which you think is better, would you like to have the firemen tested every single year — is that what you're saying — to prove that they can, indeed, carry a body out? You're talking about people being in shape, etc., etc. I don't think that's what the firemen would like to do and that brings me to my next point when you answer.

Mr. Wagner:

May I respond? The question at hand is hiring new personnel. I certainly feel that firefighters should be fit, not only when they're hired but also while they're working. But I think what we're talking about today in this piece of legislation is the hiring of new people. Therefore, I can only address that particular issue at this time.

Michelle Madoff:

I'm afraid I don't buy that, it doesn't wash, because the issue is public safety and we're not going to send out a fireman who has just been newly trained, that has just taken the test and able to lift somebody. What are you going to do if you get a fireman who has been on the staff for a number of years? Say you're fired because you can't lift the body. Is that what you're saying, Mr. Wagner?

Mr. Wagner:

No, I have not said that. I indicated, I don't know if you recall what I just said, but I believe that firefighters should always be in good shape and capable of rescuing people at any time during their employment.

Michelle Madoff:

Do you think then it would be a good idea to have a public hearing and then perhaps during that public hearing go down to the fire stations and watch the firemen lift the bag to see if they can do it?

The Chair:

Michelle, I think he stated his position. If you differ with it, you may differ with it.

Michelle Madoff:

No, I want an answer to that. That's the gut — This test was redesigned because the original test was illegal, discriminating against women. We went back over the stats and we found that rarely, rarely, is someone ever lifted. Practically never. Tremendous workmen's comp on minor issues.

I don't want to put the public's safety in jeopardy; I don't think any member of this Council does. It would seem on the surface that we ought to say let's go back to the old test. We can't do it because it's illegal; that means we can't hire new firemen.

Now, I want to know what Mr. Wagner is saying. I'm not trying to fight with him because I respect his opinion.

The Chair:

I think Mr. Wagner has very clearly made his point.

Michelle Madoff:

I didn't understand him; I want to be sure I understand him. Are you saying that the public safety is not going to be

pertinent if we have a fireman who is already hired by the City for ten years, but cannot lift a body? That would not be important?

The Chair:

I think the Chair understands him to say that at least if they can't do it when they start, they'll not likely be able to do it later. He says at this time they ought to pass the test to get it and later he would hope that they stay in shape so they can continue to do it. It's quite clear, his position.

Mr. Wagner:

Mr. President, may I respond to one point? There has been some false statements made on this issue and it pertains mainly to the fact that several people have stated, and Mrs. Madoff you just stated, that firefighters rarely ever lift a person. That is false. In each and every incident where people are rescued from buildings, they are not dragged; they are carried from buildings. Especially where you have a situation where, we all are aware that most bedrooms are on the upper floors of buildings and in most situations, people are rescued at night, when fires occur most often, and during those rescue operations they either have to come down a pair of steps, the firefighters have to bring them down a pair of steps or down a ladder. That can only be done through carrying the person that they are rescuing.

Therefore, I just want it to be known that, yes, this is a necessary, common part of firefighting. Lifting an individual and carrying an individual. That is how the firemen's carry, which is used in the military, came about. The reason why it's called the firemen's carry is that firemen pick people up, put them over their shoulder, and carry them to safety. You cannot have an examination for newly hired people and exclude that portion of the rescue operations. That is the most important part of the rescue operations and we are doing that with the new exam.

Michelle Madoff:

You're saying we're excluding it with the new exam?

Mr. Wagner:

It has been excluded with the new exam.

Michelle Madoff:

How would we deal with the legality?

Mr. Wagner:

I would prefer to face the consequences of arbitrary or a legal ruling, opposed to the loss of human life or property.

Mr. O'Malley:

In support of Mr. Wagner and to address Michelle Madoff's concern, if she'll remember, I think it was in October of 1983 that I wrote and introduced legislation that we conduct the study of height, weight and physical agility study of all our police, our firemen and our paramedics to address her concerns that once they had been on the job for a number of years are they still physically qualified to do the job that they were hired for. That piece of legislation just came out of the Law Department the week before last and it was sent over to the University of Pittsburgh and I expect to have that study finished within a three month period.

Michelle Madoff:

Mr. Stone, do you recall a bill I introduced in this Council in relation to having smoke alarms in multiple buildings, particularly apartment houses and multiple buildings, became law in the City? Does anyone recall whether that bill required having them in private homes? I remember that the fire people, our fire chiefs came and testified before us saying that the greatest number of fires and the greatest deaths took place in homes because there wasn't enough warning. But we did not, if memory serves me correctly, perhaps Mr. Perry recalls, we did not insist that individual homes have smoke alarms. Is that correct? Am I correct in my memory? Sophie, am I right?

Mrs. Masloff:

Yes, that's right.

Michelle Madoff:

Now, rather than having a discriminatory test which I'm rather concerned about, and I really believe that we can have the same as we have with policemen and policewomen who sometimes function in different capacities, sometimes a smart woman can figure out how to get somebody out of a building, maybe with a chute, I mean a slide, whereas you don't have to lift or lug the person for a great distance of time.

I'm really more concerned that we have a fair test. I'm not qualified to make that judgment; I don't think any member of this Council is. This information has been sprung on us last week assuming we just go along with it. When we ask our personnel people — are they here today; they didn't think it was important enough — they said that the test was fair, they felt it was fair to women. Both of them are women, incidentally, that's Melanie Smith and Michelle Cunko. I am concerned that women be allowed to be firepeople and perhaps maybe not be the person that goes up to lug the body who is out cold out of the second story. You wouldn't have the Mayor do that either or have Michelle Madoff do it because I'm not strong enough to do that. But I would like to see this piece of legislation not discriminate so that women cannot serve where they can serve in capacities in the Fire Department. I agree with you that there may have to be some kind of a test that allows for the public safety but doesn't discriminate. How you arrive at that, I don't know. So what I would like to do is hold this bill until we can come up with some information from our Law Department, we have a briefing with our Law Department so that we don't act hastily against the public interest.

That's a motion that we hold this until we get some more information.

Mr. Robinson seconded the motion.

Mr. Woods:

Comment on the motion. I have no problems with recommitting this bill. I think the tests are going to be April 25, 26, and 27. I would like to have Chief Lewis when we discuss this bill this coming Wednesday come right up to the table when this bill is brought back up and also Melanie Smith and whoever has anything to do with this test. But we've got to have somebody from the Administration, particularly the fire chief, who knows about this.

Mr. Robinson:

On the motion. My lack of unreadiness on this bill stems from some comments that have been made by both Mrs. Madoff and Mr. Wagner relative to

the development of the test and its intended purpose. I think it's fair to assume that the City of Pittsburgh is attempting to include in its firefighting force persons who historically have been excluded for a number of reasons. With that being the case and with the overriding implications for disruption within the Fire Department, the psychological impact of introducing new persons into a new work situation, it seems to me that Council is again being requested to make a judgment based on little information, little perspective, and little cooperation from the Administration. Certainly Councilman O'Malley, as Chairman of Public Safety, should have been better informed on this matter; certainly Councilman Wagner's concerns that he raised are valid and should have been addressed by someone in the Administration by someone who understands the big picture. I think Mrs. Madoff's concern that we make sure that women are fairly treated and adequately represented in all phases of our employment situation is not only important but it's necessary.

We have yet to hear from anyone in the Adminstration other than a department head, Melanie Smith, concerning this matter. This is the second time in less than 30 days that Ms. Smith has been asked to try and respond and explain a very difficult situation. The first was trying to explain why this City does not have an affirmative action program, why this City does not have any type of procedure for making sure that women and minorities have an opportunity to serve in supervisory capacity. That was the first time.

The second time was last Wednesday when she was trying to explain why the firefighters' exam was being changed. While I have a great deal of respect for our front line supervisors, I think there's some areas where they are not prepared to discuss with members of Council policy decisions. It's a policy decision in this City that we're going to provide opportunity for everybody, male and female, black, white, brown, red and yellow. That's a decision that's been made by this Council, the Mayor, the Human Relations Commission, and the other appropriate policy making units of this government, not by front line staff.

We are talking to the wrong people. We need to be bold, courageous and intelligent and request the Mayor of the City of Pittsburgh to sit down with us as elected officials, in the appropriate setting, to discuss this City's policy relative to including minorities and women in the work place. We can talk about tests, we can talk about dummies, we can talk about qualifications, we can talk about physical fitness; but we're talking about the wrong issues. The issue here is, what is this City's policy and what is being done to implement that policy? I think what Councilman Wagner is suggesting is that we are perhaps doing the right thing the wrong way. I think Mrs. Madoff is saying that we must do the right thing, let us find out what is the right way.

I want here in front of us any information from the Mayor or any of his top level people explaining to us the purpose for changing the exam. Melanie Smith only told us that this related to trying to increase the female participation on our fire force after Mr. Wagner persisted with his questions around the technical aspects of the test. She did not come to us and say, "The City of Pittsburgh is trying to fulfill it's commitment to minorities and women and we believe the best way to do that is to alter this test and it in no way is going to change the potential performance of our firefighters." We don't have in front of us now any valid criteria to determine if any firefighter in

the City of Pittsburgh today is qualified to fight a fire. We just simply don't have that. Even if this exam is thrown out and we go back to the old one, that exam still does not tell us if any firefighter today is qualified to fight a fire. We know that most of our firefighters don't spend their waking hours or their hours on duty fighting fire. I'm simply suggesting that we're discussing the wrong issues and we have the wrong people.

When this bill is sent back to Committee, I would hope that we will request that the Mayor come and sit with us on this policy issue and try to explain it to us. With all due respect to Chief Lewis and Melanie Smith, they are not setting policy for the City of Pittsburgh. This is a policy issue. Most of us are aware of the difficulties that many American cities are having trying to get minorities and women into their uniformed services. And there's lots of techniques that are being used. San Francisco has used a technique, the City of Pittsburgh is trying to use a technique. Some of those techniques are good and some of them are bad but the objective is still the same. If this City is committed to including minorities and women on the fire force, then let's do this together. Let's do this with the cooperation of the people who have the expertise and let's do it with the cooperation of the people who are setting policies.

I, for one, want to hear from the Mayor or someone on his senior staff relative to why we have this policy of trying to include minorities and women and how we're going to make it happen.

The Chair:

Alright. We're only on the recommittal. I don't want to talk about the merits of the bill. Okay?

Michelle Madoff:

On the recommittal, sir. When I started to ask for the recommittal, obviously Mr. Robinson makes a very valid point. The Mayor makes policy; the Mayor should be interacting with this Council. This is something I have begged and pleaded the Mayor to do for years. However, I also think that in case he doesn't show up, you know, we can't drag him in here and he's going to do what he wants to do, that we certainly ought to request at Wednesday's hearing that we have the Law Department explain why we must or may or whether we have to go with the new rules. Also, I would like to have the fire chief and if Mr. Perry would be gracious enough —

The Chair:

There's already been a request that he be here.

Michelle Madoff:

If Mr. Perry would be gracious enough for that Wednesday to pull the bill on smoke alarms because the basic concern of this bill, bottom line, is public safety. If we had smoke alarms in everybody's houses, if it were mandatory as the Fire Department wants, we wouldn't have to worry about carrying people out in more cases.

The Chair:

Michelle, we are solely on one matter and that is the recommittal.

Michelle Madoff:

I would like to be sure that that information is available on Wednesday.

Mr. Wagner:

Mr. President, I would also

request that due to the fact that the Civil Service Commission has been involved in the reorganization of the physical examination that someone from that Commission be present at the meeting on Wednesday.

Mr. Grabowski:

Mr. President, I'd just like to make a comment. I agree with Mr. Wagner but I'm not sure that all this discussion is relevant to this bill. After all, it's only for a warrant to provide payment for the proctors and it doesn't deal whatsoever with the requirements of the test itself.

The Chair:

I would hope that at this point, and I think Mr. Grabowski is on a valid point, if we're going to recommit let's recommit and bring it up on the merits on Wednesday rather than trying to be a proponent or opponent of the bill before we get to the meat of it. We're only on the recommittal.

All in favor? Opposed? The bill is recommitted.

WHICH MOTION PREVAILED.

Also,

Bill No. 505

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Rosenberg, Kirschner & Kaleugher, in the amount of $2,612.00, in payment for additional services furnished for the benefit of the City in connection with the litigation of various lawsuits; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 506

A Resolution entitled, "Resolution transferring the sum of Two Hundred Thousand Dollars $200,000.00 Unrestricted Cash, Bond Fund, from the Department of Public Works to the Department of Fire."

Which was read.

Also,

Bill No. 507

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at a tax sale in accordance with Act No. 514 of 1947 as amended."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 525

A Resolution entitled, "Resolution transferring $72,000.00 from Code Account No. 1750, Chemicals to Code Account No. 1702, Municipal Obligations for Non-City Water Agencies."

Which was read.

Michelle Madoff:

On Bill 525, with reference to the transfer of money from the chemical. I want to hold that bill in lieu of the fire that took place that I heard about on the news at 11:00 last night. I'm deeply upset that neither Director Cosentino of the Water Authority nor myself were called at home. The fire chief heard it on the news and I don't know whether we're going to need money to replace chemicals or certainly monies to repair the water building, the Aspinwall plant. I think we better hold that a week to be sure.

Mr. Woods:

Mr. President, if I may. This money is used to pay West Penn Water for the residents of the South Hills who we —

Michelle Madoff:

That's not my problem; I know what it's for, Mr. Woods. I just don't want it taken out of that account, out of the chemical account.

The Chair:

We can reprogram if we have to, Michelle.

Michelle Madoff:

Pardon me?

The Chair:

We might reprogram if that becomes necessary.

Mr. Woods:

There's more than enough money in that account, in my understanding, because we budget it for the whole year and now we have the Water Authority supposed to take place in May. So there will be more money coming in in a general —

Michelle Madoff:

Do you know how much damage was done at the Aspinwall plant? Do you know the dollar figure?

Mr. Woods:

No, I don't.

Michelle Madoff:

Are you prepared to take out $72,000 before you know that?

Mr. Woods:

I am prepared to pay the South Hills residents' water bill —

Michelle Madoff:

Fine, but don't take it out of that account.

The Chair:

Wait, let me back up for a minute. Ordinarily, there are sufficient funds there to transfer as has been represented by the Director. However, what Michelle is saying, there was a fire and I'm saying to Michelle that if it becomes necessary to take from a fund, we can just reprogram. Taking from one or the other, this bill has to be paid and I think we ought to —

Michelle Madoff:

Fine. Let's take the money out of another account. How often have you sent a bill back yourself? How often, Mr. Stone, as Finance Chairman or as a member of this Council, have you sent a bill back to find another account to take the money out of?

The Chair:

That's not my point. I'm saying that we can pass it and if we have to reprogram from another account to this account, we can do that.

Michelle Madoff:

Another reason, Mr. Woods, why we need to go to Baltimore and get a fiscal analyst so we know where are monies are at a moment's notice. Thank God we're getting computers.

I'm going to abstain on Bill 525 because I want to be sure where the money is coming from, what Committee, what code account. I want to make sure it isn't coming out of chemicals.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 536

A Resolution entitled, "Resolution amending Ordinance No. 318, approved June 26, 1968, which authorized the Mayor to issue and the City Controller to countersign warrants for the purpose of establishing an imprest fund for

investigation expenses for the Bureau of Police, Department of Public Safety, by deleting the payees named therein and naming the Superintendent of Police as payee; and by changing the amount of the fund from $8,000 to the total of the amount existing in the fund at the time of the issuance of the warrant."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Grabowski for Mr. Givens presented

Bill No. 586

Report of the Committee on Public Works for April 4, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 467

A Resolution entitled, "Resolution amending Section No. 7 of Resolution No. 971, approved October 27, 1983, effective November 7, 1983, entitled: "Providing for a sidewalk encroachment at 3012 Penn Avenue, in the 2nd Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 468

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the painting of and/or materials for the P.J. McArdle Roadway and the 28th Street Bridge, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 469

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the purchase of a Nuclear Asphalt Content Gauge, used to determine the asphalt content of a particular mix design, and providing for the payment of the cost thereof."

Which was read.

Michelle Madoff:

On Bill 469, I'd asked for a report and we haven't received one, according to Mike Perry, as to whether the material works. There's $7,000 involved and I don't want to pay it until I get some report.

I'd like to hold that bill.

The Chair:

We have a motion to hold Bill 469. Is there a second? Hearing no second —

Michelle Madoff:

Do you want to pay it without knowing whether it worked?

The Chair:

Michelle, I don't have a second; let's leave it go now.

Also,

Bill No. 470

A Resolution entitled, "Resolution vacating a portion of Ivy Street in the 7th Ward of the City of Pittsburgh from the southerly right-of-way property line of Port Authority of Allegheny County East Busway for a distance therefrom of 40.28 feet in a southerly direction."

Which was read.

Also,

Bill No. 471

A Resolution entitled, "Resolution granting unto L. D. Astorino & Associates, Ltd. their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense a sidewalk encroachment in a portion of the sidewalk of Liberty Avenue at Market Street in the 1st Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 472

A Resolution entitled, "Resolution granting the Port Authority of Allegheny County the license and privilege to construct, maintain and use certain wall structures encroaching on and under a portion of Ravenna Street in the 7th Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 473

A Resolution entitled, "Resolution granting the Port Authority of Allegheny County the license and privilege to construct, maintain and use a certain portion of the East Busway Roadway together with drainage facilities encroaching on and under a portion of Millvale Avenue in the 8th Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 474

A Resolution entitled, "Resolution granting the Port Authority of Allegheny County the license and privilege to construct, maintain and use a certain portion of the East Busway Roadway together with drainage facilities encroaching on and under a portion of South Negley Avenue in the 7th Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 475

A Resolution entitled, "Resolution granting the Port Authority of Allegheny County the license and privilege to construct, maintain and use a portion of

Ramp B of the East Busway encroaching on a portion of Penn Avenue in the 7th Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 476

A Resolution entitled, "Resolution granting the Port Authority of Allegheny County the license and privilege to construct, maintain and use a certain portion of the East Busway roadway together with drainage facilities and lateral slope support encroaching on and under a portion of Tay Way in the 7th Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 477

A Resolution entitled, "Resolution vacating a portion of Summerlea Street in the 7th Ward, City of Pittsburgh, from the southerly right-of-way property line of Port Authority of Allegheny County East Busway for a distance therefrom of 48.27 feet in a southerly direction."

Which was read.

Also,

Bill No. 478

A Resolution entitled, "Resolution vacating a portion of College Avenue in the 7th Ward of the City of Pittsburgh from the southerly right-of-way property line of Port Authority of Allegheny County East Busway for a distance therefrom of 44.27 feet in a southerly direction."

Which was read.

Also,

Bill No. 479

A Resolution entitled, "Resolution vacating a portion of an Unnamed Way at Pierce Street in the 7th Ward of the City of Pittsburgh from the southerly right-of-way property line of Port Authority of Allegheny County East Busway for a distance therefrom of 20.31 feet in a southerly direction."

Which was read.

Also,

Bill No. 480

A Resolution entitled, "Resolution vacating a portion of North Lang Avenue in the 13th Ward of the City of Pittsburgh from the northerly right-of-way property line of Port Authority of Allegheny County East Busway for a distance therefrom of 49.19 feet in a southerly direction."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 484

A Resolution entitled, "Resolution authorizing and directing the Director of the Department of Public Works to cablecast on the City of Pittsburgh's Government Communications Cable Channel Public Hearings held before City Council, which are determined by a majority of Members of Council to be substantive value to the residents of the City of Pittsburgh as a whole." (AS AMENDED IN COMMITTEE) **—(SPONSORED BY MICHELLE MADOFF)**

Which was read.

Mr. Grabowski:

Mr. President, before we vote I'd like to make a comment on Bill 484. That's the bill authorizing public hearings to be broadcast by our cable channel.

I stated at the Wednesday Committee Meeting and I'll state again that this bill is unnecessary, it's redundant.

Mr. O'Malley:

What bill is that, Mr. Grabowski?

Mr. Grabowski:

Bill 484.

The Chair:

Bill 484, the bill dealing with cablecast.

Mr. Grabowski:

In the past week, Council has determined certain hearings, like the Water Authority, that should have been televised, and it was; we dealt with the hearing on military spending, that was televised.

Weeks ago, and at this point, we have the authority to do that right now and this legislation is unnecessary and I will vote accordingly.

Michelle Madoff:

May I respond? Unfortunately, many of the major things that have taken place in this room have not been televised, including the consultant that advises Council when we finally got down to the nitty-gritty on the Water Authority, which I think the public would have found very interesting and I believe was the end result of saving of $230 million of the taxpayers' money. They suddenly came up after we voted with a new way of doing business.

What has happened is it's been those who have been in power, the 5-4 on this Council, who have determined what hearings will be heard. I would like to hope and think that the new members of this Council, and there is a new attitude in this Council, that we would have more hearings televised.

Now, you may feel it's unneessary but until now it's been at the discretion, sort of, of the President, not of the majority of this Council.

Mr. Grabowski:

Mr. President, let me just read; I think I can read rather well. "Section 2 The majority members of City Council shall determine which public hearings are of substantive value."

We're not changing anything.

Michelle Madoff:

That's my bill. You're voting for it; I thank you.

The Chair:

He's saying that's already there; therefore, this is redundant. You don't need it. That's his point.

Mr. Grabowski:

Exactly.

Michelle Madoff:

But I'm telling you that nobody has raised the issues every time we have something of substance instead of saying let's have a post agenda.

The Chair:

Michelle, he's still saying to you, you don't have to say it twice to mean it. That's all he's saying.

Michelle Madoff:

Okay. I just think the public should really know what goes on and they really don't have a feeling from the regular meetings. It's the post agendas where the action really takes place.

Mr. Grabowski:

This doesn't apply to post agendas.

Michelle Madoff:

And hearings. I want post agendas but I got ruled out on that. I'm making a statement that that's where the action takes place. In the post agendas and hearings. They should all be on with the exception of three minute hearings where there's no opposition on a zoning. Everything should be on.

The Chair:

Michelle, if the Chair understood you correctly, you asked to rebut him. His point was only that it's repetition of what there already is.

Michelle Madoff:

I'm through; I'm finished.

Mr. Wagner:

Mr. President, just to understand this piece of legislation prior to voting on it, I have a question. Does this bill state specifically that each and every public hearing in front of Council, there will be a vote by Council and it will require the majority of Council for that public hearing to be televised?

The Chair:

It is my impression we removed the majority vote on that, did we not, Mike?

Michelle Madoff:

We added the majority. We added that.

Mr. Perry:

Majority is still in there.

Michelle Madoff:

It wasn't in originally; it was added, Mr. President.

The Chair:

Section 2 does.

Mr. Wagner:

Okay, in comparison to now, Mr. President, what is the difference?

The Chair:

That's Mr. Grabowski's point. Mr. Grabowski says that's what we have now and this is nothing more than a repeat of what we already have as the policy. That's exactly what he's saying.

Mr. Wagner:

Am I correct in saying that now, at the present time, someone must make a motion for a public hearing to be televised?

The Chair:

On a particular matter, yes.

Mr. Wagner:

On a particular matter or else there is never a vote on that particular public hearing?

The Chair:

Correct.

Mr. Wagner:

This legislation would simply make sure that every time a public hearing is to come in front of Council there will be a vote as to whether or not it should be televised?

Michelle Madoff:

That is correct.

The Chair:

Same thing.

Mr. Wagner:

If I'm correct, there will be a vote each and every time; a vote is mandatory with a public hearing.

The Chair:

The sense of the bill is, first of all, will it have a hearing and what it seems to be saying, you'll vote as the second issue as to whether or not it should be televised. Mr. Grabowski is saying, that's what we're doing now.

Michelle Madoff:

Not so.

Mr. Wagner:

But in response to Mr. Grabowski, I do not think it's part of the procedure that we do that now.

The Chair:

We haven't done it but he said it's there already.

Mr. Woods:

Mr. President, if I may. Does this legislation mean that every time there's a public hearing that perhaps the Clerk would read off that there's going to be a public hearing and you, Mr. President, would have to say, "All in favor of televising this hearing signify by saying aye and those opposed, no."? It doesn't say that here.

The Chair:

What it is saying is — and Mr. Grabowski is right in what he is saying. He's saying right now, you vote for a public hearing. If you want it televised then somebody makes a motion and it becomes televised. In certain instances

those things that were obviously of substantive value, the Chair has permitted that. I think Mr. DePasquale did that in his years. On others, it needed a motion from Council to do it. If the motion was not forthcoming, it was left in that respect.

This one is saying nothing more, really, than the same thing other than you can have the hearing if the majority votes for it.

Mr. Woods:

I am saying that some member of Council would have to say, "I make a motion that this particular public hearing be televised."

The Chair:

Correct.

Mr. Woods:

This doesn't make it that we automatically vote; it has to come from a motion off this floor.

Michelle Madoff:

Mr. President, would it be in order for me to hold the bill for a week? The reason I'd like to hold the bill, sir, is that on Section 2, the intent, as you said that's where the intent is, the majority members of City Council shall determine which public hearings are of substantive value. That's the key two words. Substantive value to the resident of the City of Pittsburgh as a whole and, therefore, which public hearings shall be cablecast.

My original bill said that anything other than a five minute zoning hearing where nobody objected, was of substantive interest to the public. They have the right to hear everything other than a five minute hearing that we can tag onto — As a matter of fact, they can hear everything as far as I'm concerned because we could tag that onto the day we're having hearings.

Now, I want to be sure the public does have the opportunity to participate by knowing what is going on in this Council and what really happens is at the public hearings and I've been outvoted on the post agendas so I'm going to let that one ride. But I would have no problem to amending the bill by either holding it a week and adding the language but it would essentially say, Mr. Wagner, that it is mandatory before we — that the setting of a hearing, at the time of setting any hearing, the Council is asked to vote as to whether we will televise that hearing by a vote of five. By adding that paragraph. Every time we have a hearing it would be put to a vote; shall we televise that hearing? We do not do that now.

Mr. Grabowski:

Why don't you simply make the motion whenever we set the hearing?

Michelle Madoff:

Because I'm not hear all the time. Sometimes I could have the flu or be out and there might be somebody else who feels they're just going to get squashed like I have and not get the hearings.

The Chair:

If I understood you correctly, you want a motion?

Michelle Madoff:

I'm just asking which would be preferential. Do you want to amend it now or should we hold it a week and

amend it?

The Chair:

I think we ought to entertain a motion if we're going to have it. If we're not, then we'll go on and vote.

Michelle Madoff:

Then may I amend the bill right now? I'm going to add an amendment that at the setting of every hearing by the President of Council, the determination to set a hearing because you haven't set the date, right? At the determination of setting a hearing, Council will be polled to see if we have five votes that would require a hearing.

Mr. Robinson seconded the motion.

Mr. O'Malley:

Could you rephrase that again?

Michelle Madoff:

Would you read back what I have, Mike?

Mr. Perry:

I didn't hear it all.

Michelle Madoff:

Would the steno-typist read it back? I think I have that very clearly stated.

Steno-typist:

I don't know what you said either.

Michelle Madoff:

But then again your things are way behind and aren't typed up either. So let's not have that kind of remark. I resent it.

Steno-typist:

I said that I didn't hear what you said. Okay?

Michelle Madoff:

Would you read it back, please? I didn't like that remark that you didn't know what I said either.

The Chair:

Hold on a minute. There is some confusion, Michelle.

Michelle Madoff:

Would you please read back what I just said.

The Chair:

May I help you? I think I can —

Michelle Madoff:

Can I have the steno-typist read back what I just said? I think that's my priority.

Steno-typist:

Do you know what you said?

Michelle Madoff:

Yes, I know exactly what I said.

Mr. Grabowski:

Point of order, Mr. President.

Michelle Madoff:

Point of order. When you ask the steno-typist to read something back, it is her job to read something back. Is that

correct, Mr. Perry?

Mr. Perry:

That's correct.

Michelle Madoff:

Thank you, Mr. Perry. You are her employer; I would like it read back by the steno-typist.

Mr. Grabowski:

Mr. President, point of order.

The Chair:

Wait, everybody hold on. I think I'm capable of handling this meeting.

If you'll bear with me for a second, I can get your thought very simply here if you'll just give me the opportunity. Now that I know what you want to say, let me recite it and then maybe we can solve the problem.

Read with me from Section 2. "The majority of members of City Council shall determine", and now you have an insert, "at the time of setting a public hearing", and then go on with the balance of the sentence.

Michelle Madoff:

Excuse me, I amended that, Mr. President. I said not at the time of setting because the setting is your priority and your decision. At the time it determined to set a hearing, not at the time of the setting of a hearing.

The Chair:

Once you move for a public hearing, you determine all of it.

Michelle Madoff:

That is correct. And when you determine that a public hearing will be held, not the date, you will at that time take the vote. That's what I said. What you just said, sir, and I think you did it inadvertently, was saying at the time you set the hearing. That's not what you mean. It's at the time we agree to set a hearing.

Mr. O'Malley:

What you're saying is when the motion for a hearing is introduced we automatically vote whether or not to televise the hearing.

Michelle Madoff:

That is correct. That is the correct wording and that is the way I carefully worded it when I gave it to the steno so that they steno-typist could take it down and that's why I asked her to read it back.

The Chair:

You want to do it this way, at the time of Council's approval of setting a public hearing.

Michelle Madoff:

Thank you.

The Chair:

Is that language alright with you, Michelle?

Michelle Madoff:

It certainly is.

The Chair:

Do I have a second to that

amendment?

Mr. Wagner:

Could I please have that read?

The Chair:

It would read as follows and if you'll look at Section 2 maybe it can help you. "The majority of the members of City Council shall determine, at the time of Council's approval of the setting of a hearing, which public hearings are of substantive value to the resident of the Citv of Pittsburgh as a whole and, therefore, which public hearings shall be cablecast."

Mr. Wagner seconded the motion.

Mr. Grabowski:

Discussion. The point of order that I was trying to make, and I think we could have avoided all this, is that our rules state that all amendments must be in writing before the final vote. Now, if we're going to live up to these rules, let's live up to them. Let's send this bill back to Committee and amend it properly.

Mr. O'Malley:

What do our rules state, Mr. Grabowski?

The Chair:

He's correct.

Michelle Madoff:

Are those the new rules of Council?

Mr. Grabowski:

They're the 1978 rules of Council.

Michelle Madoff:

They say that we have to amend —

Mr. Grabowski:

"All amendments to any bill or resolution shall be printed for the use of the members before final vote is taken on the bill."

Michelle Madoff:

That's interesting because every member of this Council over the last five an a half years has introduced amendments from the floor and probably the most prolific of that has been our President.

I have no objections to recommitting the bill. Let's recommit it.

The Chair:

Michelle, you need not invite company in everything you're doing. Just make your comments. I'll admit that I've made amendments —

Michelle Madoff:

I don't think it's necessary. I don't think this is a serious thing that needs to go back; I think the intent is clear.

The Chair:

I think the Chair is capable of standing up and indicating that we have made changes at the last moment.

Michelle Madoff:

I don't think that we should stand on pro forma when it's just a clarification of a thought. I think you very succinctly and very well clarified

and put the language in and I would like to vote on it now.

If my colleague feels that he wants to adhere to pro forma and he wants to make sure that we obey the rules to the letter, I'm willing to go along with it and hold it for a week. I don't have a problem with that.

Mr. Grabowski:

I'm willing to vote on it now too.

The Chair:

We have a motion to amend and a second. All in favor of that amendment?

Mr. Wagner:

Mr. President, based on Mr. Grabowski's remarks pertaining to a motion that must be in writing, a retract my second.

Mr. O'Malley:

I agree with both Mr. Grabowski and Michelle Madoff. I think we should adhere to the rules strictly. What is proper for one member of Council should be proper for all members of Council. There should be no deviation.

Michelle Madoff:

Then we'll recommit the bill with the wording that Mr. Stone has added to it. Resubmit it for Monday and waive Rule 8, please.

The Chair:

Mr. Wagner, you're removing your second?

Mr. Wagner:

Yes, I am.

Mr. Grabowski:

Mr. President, could I comment on the motion to recommit?

The Chair:

We don't have it yet.

Do I have a second to Michelle's motion? Hearing none, the motion fails.

We're back to the bill; are there any other motions?

Michelle Madoff:

We're not going to recommit the bill?

The Chair:

I don't have a recommit. We were just dealing with the amendment to this bill.

Now that I've disposed of that, we're back to the bill, passage or whatever.

Clerk, call the roll.

Michelle Madoff:

On Bill 484, the fact is that the people of this City have been disenfranchised. They have not been subject and let in on what really goes on at the hearings. Councilmembers have not moved and asked for five votes and while that is possible, perhaps, it has not worked in practice and I think that the good faith of this Council, even if it was redundant, it would just be reinforcing that we really want to have a sunshine, open, City Council and let our constituent know what is going on. Of course I vote aye for my bill.

Mr. O'Malley:

I vote no on Bill 484. I agree with Mr. Grabowski; I think it's a little redundant. Any time a member of Council felt that a hearing should be televised, they call for a vote. Most of the important hearings in front of this Council were and have been televised in the past.

Mr. Robinson:

I vote aye and on Bill 484 I'd like to have my comments from last Wednesday on this bill read into the record.

I'd just like to have the record reflect that I am in favor of cablecasting all public meetings of Pittsburgh City Council through our government channel.

(BEGINNING - MR. ROBINSON'S REMARKS ON BILL NO. 484 - WEDNESDAY, 4/4/84)

Mr. Robinson:

My only reservation about the original legislation and the draft is that we are asking a majority of the members of Council to determine whether or not the public should have a right to be involved in the process of our deliberations through at least viewing them. I am opposed to that.

As I said before, I am a firm believer that the technological age is something we are going to have to come to grips with, and that we ought to afford the public every opportunity available to us to be involved in the process of making decisions, particularly when those decisions are going to definitely impact upon themselves and their families.

While my objection to the bill is not to the extent that I won't support it, I would hope that the sponsors would seriously consider not leaving in the hands of the majority of the members of this Counci the responsibility to determine which public hearings have value and which public hearings we should televise. Instead I would like us to come to grips with the fact that all public hearings should be televised. We have the technology to do it; we have the staff to do it. I think it is time for us to come into the modern era and say all of our public business is going to be televised.

THE CHAIR COMMENTS

MRS. MASLOFF COMMENTS

Mr. Robinson:

Let me just very quickly try to set the issue, and, certainly, it probably cannot be resolved here today. It seems to me we have a fundamental question that we are wrestling with, and that is, to what extent are we obligated to make our meetings open to the pbulic and to give the public an opportunity to participate. I am saying that since television is now a technological fact and is used extensively, particularly in the coverage of public meetings, governmental meetings, that we have to make a decision as to whether or not we want to extend the openness of our meetings, which are public to anyone who wants to come in, extend it to the televising of all those meetings for those who are not physically here but visually are here, just as we are visually in their homes.

Our business, prior to our being hooked up to the cable system, was only conducted in this building, in this room. Our business is now being conducted in this room and in the homes of every person who chooses to have cable. We

have gone into another realm, and it seems to me that we do have the fundamental problem, that is, how far should we go in terms of informing the public and giving them access to our decision-making process.

MICHELLE MADOFF COMMENTS

Mr. Robinson:

Let me just comment quickly on this point. That gets back to procedure. There is a Committee of this Council called the Hearing Committee, which is chaired by the President of this Council. The Chairperson of that Committee has the same prerogative as the Chairperson of any other committee, and that is, complete control over any bill that is in that committee. Council's rules state that. So it is really up to the President of Council routinely to schedule public hearings.

The process of this Council voting to have a public hearing is not contained in our rules, but certainly that is our right as elected officials to vote to have a hearing or not to have a hearing, but the normal process is to give the prerogative to the Chairperson of the Hearings Committee.

I think the Chairperson of the Hearings Committee certainly can exercise his prerogative to determine or help us determine whether or not a hearing is going to have a lot of people or not have any people. I don't think the number of people who come here should determine which hearings are televised, because we choose a time to have the hearings, and we choose them at ten o'clock, which I don't think is a very good time. I'd like to see them at eight o'clock at night, that's my choice, but I don't have the ability to set that time.

I am saying I think we ought to balance out the rules that we already have around hearings with our interests in televising our basic activities.

Technology will accommodate us, thank God. If we can go to the moon we can go to another area and have televised hearings.

(END - MR. ROBINSON'S REMARKS ON BILL NO. 484 - WEDNESDAY, 4/4/84)

Mr. Wagner:

I vote aye and I think an important aspect of this bill, although this could be accomplished without the bill, is Section 3. Public hearings to be telecast will be scheduled on the first, third and fourth Tuesday of the month. That is consistent with the desires of Brother Richard and I think that's an important aspect of the bill.

The Chair:

Is there any furhter discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff	Mr. Wagner
Mr. Robinson	

AYES 3	NOES 5

VOTING NO:

Mr. Grabowski	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Mr. Robinson presented

Bill No. 587

Report of the Committee on Planning, Housing and Development for April 4, 1984 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 145

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 11 by changing: From "M2" Limited Industrial District to "R5-H" Multiple-Family Residence District all that certain property bounded by: CENTRE AVENUE; Lot No. 282, Block 84-E in the Allegheny County Block and Lot System; the "R4" zoning district boundary line located south of CENTRE AVENUE; SOUTH NEGLEY AVENUE; the "R5-H" zoning district boundary line located east of SOUTH NEGLEY AVENUE and south of CENTRE AVENUE, 7th Ward."

Which was read.

Also,

Bill No. 487

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01(a)A(12) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for authorization to Anthony J. & Mary Lou Castriota, to engage in a major grading and filling operation of approximately 40,400 cubic yards of earth on certain property having 437 feet of frontage along the easterly side of WEST LIBERTY AVENUE and 671 feet of frontage along the northerly side of STETSON STREET, 19th Ward."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 488

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01(a)A-44 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for authorization to occupy the existing structure located at 130 SOUTH FAIRMOUNT STREET as a Group Care Facility to be used by George Hummel, owner, for the treatment of 17 adult male clients recovering from alcohol and drug dependency, with supervision, on property zoned "R4" Multiple-Family Residence District, 8th Ward."

Which was read.

The Chair:

This bill has a negative recommendation and we'll vote either the bill up or down.

Michelle Madoff:

Mr. President, would you please clarify for us exactly where this is? You know, they keep running together. Which one is this?

The Chair:

We're dealing with one of the proposed group home facilities at 130 South Fairmount Street in the 8th Ward.

Michelle Madoff:

Was I absent when this came up because I'm not familiar with this bill? Okay, I know which that is.

The Chair:

The Commission voted to deny this action. Spacing provision of 1320 feet, one quarter mile, is not satisfied since an institutional facility is located within 300 feet of the property.

Call the question. If you're for the bill, vote for it. If you're opposed, vote no.

Mr. Robinson:

Clarification. The bill was passed by Council in support of the denial by the Planning Commission.

The Chair:

It received a negative recommendation. To uncomplicate it, we're going to vote strictly on the bill without — If you're in favor of this group home, vote yes. If you're opposed to it, vote no.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

VOTING NO:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES none NOES 8

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Also, with an affirmative recommendation,

Bill No. 489

A Resolution entitled, "Resolution providing for the filing of a Community Development statement by the City with the United States Department of Housing and Urban Development for a grant in connection with the 1984 Community Development Block Grant Program; providing for the execution of Grant Contracts and for the filing of other data; providing for required assurances; execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; providing for the deposit of the funds in a bank account and providing for

the payment of expenses within categories."

Which was read.

Also,

Bill No. 490

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the below-listed Redevelopers for the sale of the following properties in the City of Pittsburgh (URBAN HOMESTEADING REHABS)."

Which was read.

Also,

Bill No. 491

A Resolution entitled, "Resolution approving Contracts, for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the below-listed Redevelopers for the sale of the following properties for $1.00 as per the Property Management and Maintenance Program (PMMP SIDEYARD SALE)."

Which was read.

Also,

Bill No. 492

A Resolution entitled, "Resolution approving Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the below-listed Redevelopers for the sale of the following properties for $100.00 per lot as per the Property Management and Maintenance Program (PMMP SIDEYARD SALE)."

Which was read.

Also,

Bill No. 493

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to transfer property in the 7th Ward of the City of Pittsburgh designated as Parcel 3A-1 from the Residential Land Reserve Fund to the Industrial Land Reserve Fund."

Which was read.

Also,

Bill No. 494

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Eugene Howell for the sale of Block 10-J Lot 19 and Part of Lot 22 in the 5th Ward of the City of Pittsburgh (RESALE FOR REHABILITATION)."

Which was read.

Also,

Bill No. 495

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Grane Associates for the sale of Parcels 84, 88, and 166 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27 (PARKING)."

Which was read.

Also,

Bill No. 496

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Grane Associates for the sale of Block 22-R part of Lot 186 in the 21st Ward of the City of Pittsburgh (PARKING)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

Bill No. 588

Report of the Committee on Parks and Recreation for April 4, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 527

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to enter into an Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Environmental Resources for the purpose of maintaining and operating Point State Park."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. O'Malley presented

Bill No. 589

Report of the Committee on Public Safety for April 4, 1984 transmitting one resolution Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 485

A Resolution entitled, "Resolution providing for a Contract or Contracts from time to time in connection with the demolition and removal of condemned buildings and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 590

Report of the Committee on Engineering and Construction for April 4, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 502

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Robert W. Hunt Company (Daniel V. Biank, P.E., General Manager) for Professional Engineering Services in connection with the Steel Inspection for the Bloomfield Bridge Phase 3, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 503

A Resolution entitled, "Resolution repealing Resolution No. 1122, effective November 12, 1981, entitled, "Providing for a Contract or Contracts or the use of existing Contracts for the refurbishing of Lee School Recreation Center; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President, I think it's appropriate that in the very near future that you schedule for this Council a meeting with the Water Authority, the Administration, the Water Department and the Public Works Department and our new Engineering and Construction Department. I would like to know at what stage, and what is happening, and who was holding the reins, what is going on down at the water plant.

As you know, the fire last night which is being investigated, has put our chemical connections out of action for two days. Fortunately, we have enough water supply which will not affect the City at all and the plumbers are out there working to make everything right. But last night, about midnight, I was speaking to Fire Chief Lewis, Richard Cosentino, Mr. Bruecken, and I got the very decided feeling that nobody is in charge. Nobody knew. Everybody was getting it from the television at 11:00.

I realize that when you go into a transitional period there are some communication breakdowns. As the person who is the head of the Water Committee, I want to be notified when there's any major episode that takes place with water. I had that understanding with Mr. Cosentino and he adhered to it. He didn't know himself.

The Chair:

Did you talk to Mr. Smith?

Michelle Madoff:

No. I couldn't reach Mr. Smith. I shouldn't have to hear it from Mr. Smith on TV. That's what I want to talk about at the meeting. I think that somebody running our Water Department ought to be somebody very well versed in water engineering.

The Chair:

Michelle, I saw him on TV last night and he seemed in total control.

Michelle Madoff:

In control of what? Having prevented what happened?

The Chair:

I don't know what caused it so I can't accuse him of doing it.

Michelle Madoff:

All I'm saying is the background of the person who runs a Water Department ought to be someone of the background of Mr. Cosentino. Right now Mr. Cosentino was very upset because he wasn't called and he heard about it on the news. All I'm saying is that I would like to see how the progress of transferring the handling of the Water Department from Mr. Cosentino's hands to Mr. Smith and protecting the City, particularly in light of two things that have happened.

The Chair:

It's the other way around. It's Smith to Cosentino.

Michelle Madoff:

Smith will still be running the Water Department. Well, how they're all

going to work and who is going to hold the reins. What's happening now is nobody knows what authority they have during this transitional period.

I'm concerned for two reasons. The epidemic of what has happened in McKeesport — I keep forgetting the name of the disease — has now spread to another community. I want to be sure that our City is well protected on that score. I think possibly a major concern would be to have all our reservoirs covered and we're working in that direction but I want to know what danger we're in.

Secondly, in the storage of chemicals. I want to be sure that last night — I'm making a guess and I've talked to people, we don't know exactly what happened but following the announcement on the news of the fire, there was a weather announcement. I don't think anybody caught the significance. They said that we were as dry as a desert, that the humidity was that low. In my apartment I was getting sparks by turning on a light switch; you could see flames coming out of the sparks.

Perhaps we have to look at some new ways of protecting chemicals that give off fumes that can be ignited.

So, I would just like to know what's happening during that transition. Just a quick briefing. Will you set that hearing?

The Chair:

A hearing or a post?

Michelle Madoff:

It could just be a meeting; we're not going to vote on anything. Just so we're apprised of what's happening.

The Chair:

Alright.

Mr. Robinson:

Mr. President, two quick matters, if I might. One, I'd like to have a post agenda scheduled for April 18, 1984 to deal with the issue of minority and female employment opportunities in the City of Pittsburgh. I will need the Director of Personnel and also the Chairman of the Civil Service Commission, someone on the Mayor's staff if the Mayor is unavailable, and also the Director of our Human Relations Commission. Hopefully, at that post agenda, we can get some more information as to where this City is relative to any kind of policy about the inclusion of minorities and women and our work force and be able to identify who is responsible for what.

The second item relates to the task force on investment policies and business practices of which I am the chairperson. Mr. Woods and Mr. Grabowski also serve on that committee. By way of a very quick report, the task force met on March 3, 1984, March 23, 1984 and April 3, 1984. Copies of the transcripts of those meetings are available to members of Council that might be interested.

Also, we have received pertinent information which is available through our Assistant City Clerk, Mrs. Linda Johnson. That information would be the transcripts, information forwarded to us from Carlow College's Center on Business, Society and Ethics, which is directed by Dr. Peter Madsen. Dr. Madsen has provided us with some technical assistance as well as technical assistance from Mr. Phillip Brown who also works with Dr. Madsen at Carlow College and Mr. Douglas Mitchell who

has served us in a consultant capacity as a representative of the Human Relations Commission.

Also, there are transcripts available from the public hearing on April 3, 1984 which dealt with the issue of South Africa and the development of a divestiture policy for the City of Pittsburgh. The services of the Carlow College Center for Business, Society and Ethics have been offered to the task force. Mr. Grabowski, Mr. Woods and myself agree that those services would be helpful to us in the conclusion of our work and I would like to recommend that Councilmembers peruse the document that I put in front of them relative to the services that can be provided by Carlow College and the fee schedule.

PROPOSAL FOR CENTER SERVICES

JOB TITLE: Research and Consultant

CLIENT: City Council Task Force on Investments and Business Practices,
Councilman William Russell Robinson, Chairman

DATES OF AGREEMENT: Effective March 23, 1984 and continuing at the discretion of the Task Force

ESTIMATED FEES: See Attached Schedule

JOB DESCRIPTION:

The Center for Business, Society and Ethics will provide pertinent research to and consult with the City Council Task Force on Investments and Business Practices for the length of time indicated above. Included in the research and consultant the Center will:

1. Identify issues, problems and questions which have a bearing on the deliberations of the Task Force.

2. Identify possible resolutions which have been utilized elsewhere with respect to the above issues, problems and questions.

3. Research, gather and interpret data which is pertinent to the deliberation of the Task Force.

4. Make recommendations and reports to the Task Force based upon the research and interpretations of the data gathered.

5. Research specific topics as directed by the Task Force or perform pertinent studies as directed by the Task Force.

6. Disseminate data to Task Force members which will facilitate their deliberations.

7. Clarify concepts in the area of business ethics as necessary for Task Force deliberations.

8. Assist in the writing of draft legislation as directed by the Task Force.

9. Contribute to future deliberations by City Council if so needed upon the completion of the recommendations of the Task Force to Council.

Dr. Peter Madsen, Director of the Center, is designated as the responsible individual of the Center to oversee and implement the above.

CITY COUNCIL TASK FORCE
ON INVESTMENTS
AND BUSINESS PRACTICES

PROPOSAL OF COSTS FOR
RESEARCH AND CONSULTATION

ACTUAL AND ESTIMATED COSTS:

1. Research and Consultation - $25.00 per hour

2. Research Assistance (Library searches, document review, summary statements, etc.) - $200.00 per month

3. Office and Clerical Assistance - $120.00 per month

4. Telephone (Estimate for long distance calls) - $50.00 per month

5. Copying - $.06 per page

6. Miscellaneous (Postage, supplies, city travel, etc.) - $50.00 per month

NOTE: The Center for Business, Society and Ethics will provide a monthly statement (or as otherwise needed) of actual costs incurred per month on the 23rd day of the month (or as otherwise directed). This statement will itemize costs based upon the above schedule.

Mr. Robinson:

In that regard, I'd like to make a request that $5,000 be made available to the task force to accomplish its work.

The Chair:

I think what you need is a presentation of a bill.

Mr. Robinson:

Okay.

Michelle Madoff:

Question. Councilman Robinson, if you had it as a hearing instead of a post agenda, we could have a vote of five to see that it was televised. As a post agenda, the public will not be privy to that information and that concerns me greatly. You've been working on it for a very long time; the public doesn't know what is happening. We're finally maybe getting some answers. If you do it as a post agenda, —

Mr. Robinson:

Are you referring to the April 18th post agenda?

Michelle Madoff:

The one where we're going to deal with minorities and fair practices and so on. You said post agenda. If you change to a hearing, then we can have a vote of five to put that on so people can see what's really happening.

Mr. Robinson:

My concern is to basically gather some information and some documentation. I don't think a hearing would be appropriate at this point but certainly we could consider that after we get some documentation.

Michelle Madoff:

Thank you.

Mr. Woods:

I would like to have a post agenda this Wednesday, Mr. President, on the tearing of the Jones Law Building down.

I'd like to have someone from the county who is in charge of that project for the county and perhaps Paul Imhoff and anvone else concerning that building. With the closing of Ross Street for a minimum of three days this week, you see all the traffic congestion; it's very hazardous over there. There's a number of businesses over there that's going to be affected immensely by the closing of that street. I'd like to have a post on that for this Wednesday.

The Chair:

Mr. Woods, just a remark in passing, if I may. I understand Mr. Gaetano was already at war with the contractor or the demolition crew relative to that matter. I've become increasingly disturbed about the fact that we just put in a brand new street and they've let everything come down on top of it. I don't see anything there to soften the blow on our street and I think your point is well taken. Those people ought to be here, Mike, and we do it with dispatch, but in fairness to Mr. Gaetano, I understand he was in an argument this morning over that matter. He did not expect that it would be closed during the day; it was to be closed only at night and on the weekends. I understand there has been some countermanding of that understanding and I hope we get it straightened out darn quick.

Mr. Grabowski:

Mr. President, I ask that we defer action on approving these Minutes. It appears that there are some excerpts missing on page 397. I'd like the City Clerk to check that.

The Chair:

Alright. We'll pick them up next week.

Mr. Woods moved to approve Mr. Givens for absence from the meeting.

Mr. O'Malley seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Woods**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, April 16, 1984 No. 16

Municipal Record

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, April 16, 1984

PRESENT:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

ABSENT:

Mr. Givens

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Michelle Madoff:

Would Caroline Frank, Carmen Anderson and Linda Metropulos please come forward. Caroline Frank is with the Center for Victims of Violent Crime; Carmen Anderson is with PAAR and Linda Metropulos is with Child Sexual Abuse Task Force. We have a special resolution today.

Michelle Madoff presents

Bill No. 639 WHEREAS, serious crime continues to ravage at least one third of all American households each year; and

WHEREAS, the victims of crime often face serious financial, physical and psychological losses; and

WHEREAS, traditionally such injuries have been ignored and witnesses have been treated like evidence rather than people; and

WHEREAS, certain types of victims - children, victims of family violence, minorities, and the poor, have often suffered even more when they found that they had little access to the social service and criminal justice system; and

WHEREAS, all citizens of the United States should have an equal opportunity to be treated with compassion, dignity, and justice; and

WHEREAS, such treatment has not been afforded to all victims,

witnesses, and their loved-ones or survivors.

NOW THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of Council of the City of Pittsburgh do hereby proclaim the week of April 15, 1984 through April 21, 1984 as "VICTIMS' RIGHTS WEEK", and urge all citizens and institutions, public and private, to support the establishment and enforcement of victims' rights in Pittsburgh through participation in local and state activities commemorating those rights.

Michelle Madoff moved to adopt the resolution.

Mr. Woods seconded the motion.

Which motion prevailed.

Michelle Madoff:

This is a problem that has probably been with us since time began and only because the media communications have really brought things to the forefront. People are hearing about other people with the same problems; other people are coming out and speaking freely.

It is a problem that affects a large portion of our population; it is not just something that happens occasionally to somebody else. I think all of us know people who have been directly or indirectly affected with these problem.

I wonder if our honorees will say something.

Caroline Frank:

On behalf of the Center for Victims of Violent Crime, Pittsburgh Action Against Rape and the Child Sexual Assault Task Force, I would like to thank Councilmembers for recognizing the problems that victims have and to thank you on behalf of 2,500 victims that we saw last year, for recognizing the needs and the stresses that not only the victims but their families face.

We, at the Center and at PAAR, hope that by your involvement and your recognition of the fact that there are problems as being a victim, that we can make their task a little bit easier for them, get them through the criminal justice system and maybe, someday, not have to have National Victims' Rights Week.

Thank you very much.

Mr. Grabowski for Mr. Givens presented

No. 594 Resolution repealing Res. No. 212 eff. April 3, 1984 entitled, "Providing for a Contract or Contracts, or the use of existing Contracts, for the installation and removal of Flashing Signals at School Crossings at various locations within the City of Pittsburgh; and providing for the payment of the costs thereof, is hereby repealed in its entirety.

Also,

No. 595 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for Miscellaneous Electrical Services for the renovation of the Second Avenue Substation and other structures within the Dept. of Public Works, at a cost not to exceed $18,000.00 chargeable to and payable from Code Account PW 84-21, 4-01-10-0002-84, 306654, Misc. Electrical Services.

Also,

No. 596 Resolution granting unto

Robert J. Hart, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a street encroachment on a portion of Stewart Avenue in the 32nd Ward of the City of Pittsburgh.

Also,

No. 597 Communication from Louis R. Gaetano, Director, Dept. of Public Works, requesting authorization for himself, Richard Miller, John Tortorete and Anthony Terasi to attend a demonstration on concrete sealants in relation to concrete street pavement in Fairborne, Ohio, on April 3-4, 1984, at a cost not to exceed $499.00 payable from Code Account No. 1502, Misc. Services, Director's Office, Dept. of Public Works. Prior approval by Council on March 29, 1984.

Also,

No. 598 Communication from Louis R. Gaetano, Director, Dept. of Public Works, requesting authorization for himself, to attend the APWA Public Works Conference and Equipment Show and the North American Snow Conference in Edmonton, Alberta from May 13-17, 1984, at a cost not to exceed $1,350.00 payable from Code Account No. 1502, Misc. Services, Director's Office. This conference will be most beneficial with seminars on new methods of snow removal, street maintenance productivity, training for foremen, and a host of new methods to up-date Public Works efficiency.

Which were severally read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 599 Communication from George W. Jacoby, Director, Dept. of General Services, requesting authorization for himself, Dawn Botsford, and Brother Richard Emenecker, F.S.C., to attend the AT & T Divestiture Conference, sponsored by the National League of Cities, in Washington, D.C., from May 17-19, 1984, at a cost not to exceed $1,900.00 payable from Code Account No. 1128, Index Code 112805, Misc. Services, Department of General Services.

Also,

No. 600 Communication from George W. Jacoby, Director, Dept. of General Services, requesting authorization for Edward Earnest and John Moran to conduct an inspection of fire equipment manufacturers in Drummondville, Quebec, on April 29 - May 1, 1984, at a cost not to exceed $900.00 payable from Code Account No. 1128, Index Code 112805, Misc. Services, Department of General Services.

Which were read and referred to the Committee on General Services.

Mrs. Masloff presented

No. 601 Resolution providing for authorization to enter into an Agreement or Agreements for personal services in conjunction with the 1984 Festival, Senior Citizens, Special Events, and Concert Programs, at a cost not to exceed $31,000.00 payable from Code Account No. 1833, Concerts, Code Account No. 1837, Special Events and Code Account No. 1843, Senior Citizens, Dept. of Parks and Recreation.

Also,

No. 602 Resolution providing for an Agreement or Agreements with Allegheny County Institutional District in connection with the Federal Area Plan for Programs on Aging, providing for payment and reimbursement to the City

by Allegheny County Institutional District for expenditures in connection with the Senior Citizens Program; providing for the payment of the City's share of the cost; providing for the deposit of funds.

Also,

No. 603 Resolution providing for an Agreement or Agreements for professional services at the Pittsburgh Aqua Zoo, at a cost not to exceed $20,000.00 chargeable to and payable from the Pittsburgh Zoo Membership Trust Fund, Index Code 253757.

Also,

No. 604 Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting authorization for Wendy Bell and Regina Grebb to attend several consulting sessions at various zoological institutions and to attend the Northeast Regional Conference of the AAZPA in Washington, D.C., Baltimore, Maryland and Philadelphia, PA, from April 27th through May 1, 1984, at no cost to the City of Pittsburgh. The purpose of this trip is to consult with other zoo administrators in conjunction with the Zoo Capital Improvement Project.

Also,

No. 605 Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting authorization for Jack McDonough, Webb Kolling, and Francis Laffey to attend the Mid-Atlantic Managers Association seminar in Erie, PA, on April 5, 1984, at a cost not to exceed $50.00, payable from Code Account No. 1801, Misc. Services, Dept. of Parks and Recreation. The purpose of this seminar will be to discuss the Zamboni ice making machine operation. Permission is also requested for use of City a vehicle. Prior approval granted by Council April 2, 1984.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 606 Resolution providing for an Agreement or Agreements with the Lower Hill Outreach YMCA to provide transportation for their Summer Day Camp Program, and transferring the sum of $3,000.00 from Code Account No. 10, Accounts Payable Prior Years, to Code Account No. 1838, Misc. Services, Dept. of Parks and Recreation.
—(SPONSORED BY MR. ROBINSON)

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 607 Resolution approving a Conditional Use Exception under Section 993.01(a)A(12) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended to the Urban Redevelopment Authority for authorization to engage in a major filling operation on the former J & L Site located on SECOND AVENUE, 4th Ward.

Also,

No. 608 Resolution approving execution of a Disposition Contract by and between the URA and Edward F. Gardner for the sale of Block 22-R Lot 186-C in the 21st Ward of the City of Pittsburgh - Residential Land Reserve Fund (Bailiff & Riggo Ways). Sale in the amount of $378.00. (Parking)

Also,

No. 609 Resolution approving

execution of a Disposition Contract by and between the URA and Joseph L. and Elnedia Barrow for the sale of Block 22-R Lot 186-A in the 21st Ward, for $499.00, Residential Land Reserve Fund (1106 Bidwell). (Sideyard)

Also,

No. 610 Resolution approving execution of a Disposition Contract by and between the URA and Grane Associates for the sale of Block 22-F Lot 237 in the 21st Ward for $900.00 — Residential Land Reserve Fund (1322 Columbus Avenue). (Resale for Rehabilitation)

Also,

No. 611 Resolution approving execution of a Disposition Contract by and between the URA and Kathleen J. Connors for the sale of Block 7-B Lot 235 in the 21st Ward for $3,750.00 — Residential Land Reserve Fund (1011 Manhattan Street). (Resale for Rehabilitation)

Also,

No. 612 Communication from Robert H. Lurcott, Director, Dept. of City Planning, requesting authorization for Reginald B. Young to attend the 1984 National Community Development Association Spring Conference in Washington, D.C., May 23-25, 1984, at a cost not to exceed $700.00 payable from Community Development Block Grant Program, Dept. of City Planning, Administration, Code Account CDPA, Project #4-35-01-0012-83-49-83-35. The purpose of this conference is to allow participation in discussion, workshops, and training sessions.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 613 Resolution amending Res. No. 197, approved March 22, 1984, effective April 3, 1984, entitled, "Providing for the issuance of a warrant in favor of Machine Manufacturing and Repair Company, 2323 Main Street, Pittsburgh, PA 15215, in the amount of $5,615.00, in payment for the installation of three pumps at the Highland Pumping Station, furnished for the benefit of the City; and providing for the payment thereof," by indicating the amount of the warrant in Section 1. The amount of the warrant was omitted from Section 1 of Resolution No. 197; chargeable to and payable from Code Account WD 82-02, 4-13-46-0100-82, Pump Rehabilitation and Replacement, Dept. of Engineering and Construction.

Also,

No. 614 Resolution providing for the issuance of a $12,000.00 warrant in fvaor of Conn Construction Company in addition to the original contract of $2,882,597.00, for the Rehabilitation of Robert McAfee Bridge, payable from Code Account PW 84-38, 4-13-30-0001-84, Index Code No. 307504, Miscellaneous Repairs to Streets and Structures.

Also,

No. 615 Resolution providing for the issuance of a warrant in the amount of $15,780.28, to Conn Construction Company for extra excavating and re-backfilling work in addition to the original contract price of $2,882.597.00, on Controller's Contract No. 24647, in connection with the rehabilitation of the Robert McAfee Bridge, Phase I, payable from Code Account PW 84-38, Index Code No. 307504, Miscellaneous Repairs to Streets and Structures.

Which were severally read and referred to the Committee on Finance.

Also,

No. 616 Resolution providing for a Contract or Contracts or the use of existing Contracts for cleaning and sealing of marble on the first floor of the City-County Building, at a cost not to exceed $25,000.00 payable from LB 84-10 (4-13-95-0001-84), Dept. of Engineering and Construction.

Also,

No. 617 Resolution amending Res. No. 485, effective May 26, 1982, entitled, "Providing for an Agreement or Agreements, from time to time, with various Consultants, including but not limited to Construction, Mechanical, Electrical, and Geo-Technical in connection with Renovations to various Public Buildings; and providing for the payment of the costs thereof," by increasing the total project allocation from $15,000.00 to $31,648.65.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Woods presented

No. 618 Resolution authorizing the Mayor to issue and the City Controller to countersign a duplicate warrant to Edward Walthour, in the amount of $831.07, Warrant Number P004978, to replace the warrant which was lost, stolen or inadvertently destroyed.

Also,

No. 619 Resolution providing for the issuance of a warrant in favor of R & W. Forms, 5000 Baum Boulevard, Pgh., PA 15213, in the amount of $1,024.80 in payment for printing alterations and new printing plates on the 1983 Pgh. 40 Tax Form-City and School District of Pittsburgh Individual Earned Income Tax Return Forms and Instruction Booklet furnished for the benefit of the City in connection with the collection of taxes, chargeable to and payable from Code Account No. 1063, (106302), Misc. Services, Dept. of Finance. Prior approval granted by Council Bill No. 509, dated April 4, 1984.

Also,

No. 620 Resolution providing for the issuance of a warrant in favor of Best Business Forms Company, 109 DeWalt Avenue, Pgh., PA 15227, in the amount of $2,846.11 in payment for additional work on six self-mailer Earned Income and Occupation Tax Forms and one self-mailer Business Tax Form which included increasing the number of parts for the forms so they would adhere to United States Postal Service Mailing Regulations, printing changes on the filing instructions for each form, and other printing and print address spacing changes furnishing for the benefit of the City in connection with the collection of taxes, chargeable to and payable from Code Account No. 1063, (106302), Miscellaneous Services, Dept. of Finance. Prior approval by Council Bill No. 509, dated April 4, 1984.

Also,

No. 621 Resolution amending the 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, and 1983 Community Development Capital Budgets to renumber project code accounts to reflect the reorganization creating the Department of Engineering and Construction.

Also,

No. 622 Resolution providing for

the filing of a petition for the exoneration of taxes and transfer of properties in accordance with the laws applicable for transfer. Any cost of proceeding to be paid from Code Account TTBSTF.

Also,

No. 623 Resolution amending Item I of Res. No. 867, appr. August 25, 1980, for the sale of 2 lots in the 15th Ward Emahlea Street and Hazelwood Avenue, Block and Lot 55-L-212, 230 to Mark M. Wolynn, for the sum of $1,550.00. Amendment is to correct information.

Also,

No. 624 Resolution amending Item B of Res. No. 803, appr. August 12, 1982, for the sale of a 2 Sty. Fra. Hse. at 3380 Milwaukee Street, 5th Ward, Block and Lot 26-P-45, to Carolyn C. McNeal, for the sum of $1,000.00. Amendment is to reduce price of sale to $300.00, as the house had to be razed.

Also,

No. 625 Resolution amending Item K of Res. No. 110 appr. March 2, 1984, for the sale of a house on Hazelwood Avenue, 15th Ward, Block and Lot 55-M-37, to Mark Wolynn, for the sum of $1,000.00. Amendment is to correct the size of the house.

Also,

No. 626 Resolution amending Item F of Res. No. 110, appr. March 2, 1984, for the sale of a Brk. Hse. & 2 lots on Rosetta Street, Block and Lot 50-G-34-35-35A, to Willie L. & Evelyn L. Glass (W.) for the sum of $1,350.00. Resolution is to correct page number.

Also,

No. 627 Resolution repealing Item H of Res. No. 14, appr. January 31, 1984, for the sale of a 2 Sty. Bldg. at 915 Tyson Street, 13th Ward, Block and Lot 174-M-334, to Grady I. Davis & Mark Aaron Spencer, for the sum of $750.00. Resolution is to repeal sale and refund the hand money.

Also,

No. 628 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at a tax sale in accordance with Act No. 514 of 1947 as amended.

Also,

No. 629 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at a tax sale in accordance with Act No. 514 of 1947 as amended.

Also,

No. 630 Resolution repealing various resolutions, approve on various dates, authorizing the sale of properties in various wards of the City of Pittsburgh in accordance with Act No. 514, as amended. The reason for the repealing resolution is to cancel the sales and to forfeit the hand money in the respective sales, as the purchasers have all failed to comply with the Agreement of sale.

Also,

No. 631 Communication from Melanie J. Smith, Director, Dept. of Personnel and Civil Service Commission, requesting authorization for Gail Erny to attend a seminar on Job Analysis, in Chicago, Illinois on May 21-23, 1984, at a cost not to exceed $730.00 payable from Code Account No. 1100, (110007), Miscellaneous Services. The purpose of

this seminar is to stay abreast of the latest developments in job analysis.

Also,

No. 632 Communication from Tom Flaherty, City Controller, submitting the performance audit of the Law Department.

Also,

No. 633 Communication from Ronald C. Schmeiser, Director, Dept. of Finance, submitting a report of deposits and market value of collateral Security pledged by City Depositories to secure same as of March 30, 1984.

Which were severally read and referred to the Committee on Finance.

UNFINISHED BUSINESS

The Chair presents

Bill No. 385 Resolution approving the reappointment of Mr. R.A. Zern of 10 Allegheny Center, Pittsburgh, PA 15212, to the Board of Code Review for a term to expire December, 1986.

Which was read.

Mr. Woods moved to adopt the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 634

Report of the Committee on Finance for April 11, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 528

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Hendee Zoological Company II, in the amount of $1,900.00 in payment for the purchase of birds for display at the Aviary, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 529

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Sunbird International Company, in the amount of $1,118.00 in payment for the purchase of birds for display at the Aviary, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 530

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of the Commonwealth of Pennsylvania, Department of Education in the aggregate amount of $3,709.00 payable from Code Account Special Parks Programs Trust Fund (254359) the amount of $2,423.46 and from Special

Summer Food Service Program (270256) the amount of $1,285.54 in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 531

A Resolution entitled, "Resolution authorizing the quarterly transfer of the aggregate amount of Four Hundred Thousand Dollars ($400,000.00) from the 1984 Community Development Block Grant Trust Fund, Code Account CDPR, Housing Authority Recreation Salaries, Project No. 4-10-10-0010-84-221-84-10 to the General Fund of the City of Pittsburgh for reimbursement of Salaries and Wages paid to employees in support of the City's Community Development Block Grant Program."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 537

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the International Business Machines Corporation, P.O. Box 537, Philadelphia, PA 19105, in the amount of $2,444.00 in payment for rental of equipment furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

Also,

Bill No. 550

A Resolution entitled, "Resolution providing for the issuance of a warrant to Barbara Benson, c/o James D. Belliveau, Esquire, 2100 Law and Finance Building, Pittsburgh, Pennsylvania 15219 in the amount of $4,972.50 in full

settlement of a claim for property damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 551

A Resolution entitled, "Resolution transferring the Water Fund balance as of May 1, 1984, to the General Fund and providing for the payment of outstanding encumbrances."

Which was read.

Michelle Madoff:

On Bill 551, is that the bill that you were going to transfer funds from one account to another? I was concerned about the account —

The Chair:

Do you mean the Water Department?

Michelle Madoff:

Yes. It was a chemical on Water.

The Chair:

Yes, that's it.

Michelle Madoff:

I was concerned about where they money is coming from.

The Chair:

Michelle, what we decided was that we would go and if we had to make a transfer later, we would —

Michelle Madoff:

This is the money that will ultimately end up in the Water Authority. Is that correct?

Mr. Grabowski:

No.

Michelle Madoff:

Well, money has to go to the Water Authority from the Water Department to close it out. That's my understanding; that they could still have a claim on the General Fund. They can appeal to the General Fund for money. We never did get that clarified.

The Chair:

Whatever it turns out, the money is going to be the same.

Michelle Madoff:

Okay. I'll let it ride.

Mr. Grabowski:

Mr. President, I intend to vote against this legislation and my reason for voting against it is because I believe this is a practice that has gone on for decades. The City has transferred money from the Water Fund to the General Fund. If over these years and years the City had not transferred the funds and used those surplusses to refurbish the water system, right now we would not have a need for a water authority.

On this particular bill I am voting no.

The Chair:

Mr. Grabowski, if I may give an explanation. It costs us $60 million for our water system originally and as part of that program and under that act, there was what we call the fair return, which would actually be higher than the amount that the City got. Actually, we have not given back to the City it's fair return in, to my knowledge, most years.

Mr. Grabowski:

This represents more than the fair return and in the past —

You have a different understanding than I, Mr. Stone. This is an estimated $4 million of a transfer that we're talking about here in this legislation.

The Chair:

This is an amount that's in the budget but which is actually lower than it should be. I'm talking $3.6 million. I want to say somewhere around $5 million, it should be, and we've always been lower. On the fair return.

Mr. Grabowski:

This does not represent a fair return and it is my understanding in the past the transfer has been much greater than the fair return.

The Chair:

I think the only time that's happened was probably in the Flaherty Administration they took some money from the Water Department.

Mr. Grabowski:

I cast my vote in the negative.

The Chair:

Fair enough. I just wanted to clear up how we got to that.

Michelle Madoff:

I concur with what Mr. Grabowski has said and I would also like to point out that one of the leading people opposing the Water Authority, the four of the five who opposed the Water Authority, each year as head of the Water Committee, I would go to the Finance Chairman and ask for monies and I have it documented in my critique of the budget, asking for monies because the Water Department people were coming to me, meeting with me, supervisors, etc., and we needed each year at least $1 million just to correct the band-aid approach where the men were working and they say men because for the most part they are men, I think there's only one woman and she's no longer with the Department, with broken hammers, a 17 year old back-hoe. We spent more money repairing the back-hoe and renting equipment than

what we could have bought 3 new backhoes for by buying from repossessed. This was planned obsolescence; it was planned so that the Administration could have a water authority, so we could get the water problems off it's back, not have to tax for it, but the dollars still come out of the same taxpayers' pockets. I vote no.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 4 NOES 3

(MR. GRABOWSKI, MICHELLE MADOFF AND MR. ROBINSON VOTING NO)

The Chair:

Is Mr. Wagner here?

Mr. Woods:

He's being interviewed.

Michelle Madoff:

What is the vote now, please?

Mrs. Johnson:

Ayes four, noes three.

Michelle Madoff:

We're not calling Mr. Wagner in for his vote are we? That is against Robert's Rules. In Robert's Rules you must request, when you leave the room, the right to hold your vote when you come back.

The Chair:

Mr. Wagner, we are voting on Bill 551. How is your vote?

Mr. Wagner:

Aye.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Wagner	(Pres't)

AYES 5 NOES 3

(MR. GRABOWSKI, MICHELLE MADOFF AND MR. ROBINSON VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Michelle Madoff:

Mr. Stone, may I ask a question? During a very pertinent vote on a minority issue, one of our Councilmembers left the room. When he

came back, I asked that we have his vote for the record recorded. I was told at that time that I could not insist upon that and Council did not support me in getting that person's vote on the record because the rules of Council say that if you are not present you cannot vote. If you're called to the telephone, my daughter called, it's an emergency, I have to say to the Chair, "Mr. President, I request the right to vote when I return or later on." Otherwise you cannot vote.

I don't mind Mr. Wagner having the opportunity to vote; I think that's fair and just. But I think the rules should be the same for everybody.

The Chair:

The Chair is familiar with many occasions and many occasions with you, yourself, that asked that some Councilman come in and vote. The Chair doesn't think that we're doing it any differently than we have done it in the past and that vote will stand.

Also,

Bill No. 552

A Resolution entitled, "Resolution amending the 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, and 1983 Community Development Capital Budgets to renumber project code accounts to reflect the reorganization creating the Department of Engineering and Construction."

Which was read.

Also,

Bill No. 553

A Resolution entitled, "Resolution providing for an agreement with William M. Mercer/Meidinger, Inc., for actuarial services in connection with the Municipal Pension Fund, the Policemen's Relief and Pension Fund and the Firemen's Relief and Pension Fund, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 504

A Resolution entitled, "Resolution providing for the issuance of warrants in the aggregate amount not to exceed $17,980.00 in favor of persons who provide professional proctoring and coordinating services for the benefit of the City in connection with the administration of the Department of Personnel and Civil Service Commission's 1984 Firefighter Performance Examination on April 25, 26, and 27, 1984 and providing for the payments thereof."

Which was read.

Mr. Wagner:

On Bill No. 504, there's been considerable discussion pertaining to this bill over the last week, week and a half. I would like to add some additional information that I have obtained since last Wednesday. I have given each one of you a copy of the letter that I had directed today to Melanie Smith, Director of the Department of Personnel. I'd like to read that letter and indicate to you my position supporting that letter.

"Dear Ms. Smith,

On April 13, 1984 I obtained information on Firefighter Professional Qualifictions from the National Fire Protection Association.

The National Fire Protection Association (NFPA) is the most respected non-profit association wholly devoted to reduction of loss of life and destruction of property bv fire. They recommend minimum standards for Firefighter Professional Qualifications. They also recommend standards for building codes for firefighting apparatus, equipment, materials, etc.

Attached you will find a copy of the Minimum Physical Fitness Requirements for firefighters. In those requirements there are six basic physical tests suggested for firefighter applicants.

The suggested 1984 City of Pittsburgh "Firefighter Entry Physical Ability Exam" does not include any of these suggested requirements. Our past exam included two or possibly three of the six events.

Why has the new exam excluded all Minimum Physical Fitness Requirements recommended by the NFPA? Are our goals not consistent with their goals which are the protection of lives and property?

I seriously recommend that the Personnel Department, the Civil Service Commission and the Fire Department restructure our exam according to the National Fire Protection Association Minimum Physical Fitness Requirements.

This will insure that we hire qualified applicants for the critical position of firefighter."

I'd like to briefly refer to those minimum physical fitness requirements of which all of you have a copy.

"The candidate, after successfully completing the medical examination and with written authorization of the examining physician, shall complete one of the following: a) run 1-1/2 miles within 13 minutes; b) walk 3 miles within 38 minutes; c) bicycle 4 miles within 12 minutes; d) swim 500 yards within 8 minutes and 20 seconds; e) run in place 75 steps per minute for 15 minutes; f) run on motorized horizontal treadmill at 10 miles per hour for 6 minutes; g) climb stairs consisting of 10 steps at 9 round trips per minute for 9 minutes."

That is one of the six tests; that is an endurance test. Our present test has nothing pertaining to endurance requirements of applicants. The past test did have something that somewhat referred to endurance; it was a 500 yard run. That has been eliminated; it is not part of the new suggested test.

A second critical item of physical fitness requirements as suggested by the NFPA is, "The candidate will perform 35 bent-knee sit-ups within 2 minutes." That is not part of the present

examination.

A third item: "The candidate shall complete one of the following: a) flexed arm hand - minimum time, 8 seconds; b) pull ups - minimum, 7; c) push ups - minimum, 25." Our present exam does not include any of those minimum physical fitness requirements. The past exam did have the pull ups as part of it; the present exam does not.

Another suggested requirement: "The candidate, given a beam secured to a level floor and measuring 20 feet long by 3 to 4 inches wide, and given a length of fire hose weighing at least 20 pounds, shall walk the length of the beam, carrying the length of hose, without falling off, or stepping off the beam." The present exam has no test similar to that and also the past exam did not.

A fifth suggested requirement: "The candidate, given a weight of 125 pounds, shall lift the weight from the floor and carry the weight 100 feet without stopping." Our present exam has no requirements for lifting 125 pound weight and carrying it 100 feet. We all know that the past exam had a requirement of that type.

The sixth suggested requirement by the NFPA is, "The candidate, starting from an erect position with feet apart, the distance closely approximating shoulder width, shall move a 15 pound weight in the following manner: bend over, grasp the weight with both hands while it is at a point on the floor between the feet, and lift weight to waist level, then place the wight on the floor approximately 12 inches outside the left foot, and without letting go, raise the weight to waist level and touch it to the floor about 12 inches outside the right foot. The weight shall then be moved alternately in this fashion from left foot, to waist level, to right; right to waist level to left until it has been moved 7 times in each direction with the total horizontal distance of travel being at least 24 inches more than the space between the feet for each of the 14 moves. This shall be done in less than 35 seconds." A test of that type is not part of the present examination.

None of the 6 suggested minimum physical fitness requirements suggested by the National Fire Protection Agency are part of the new examination.

In the letter that I sent to Ms. Smith and it's unfortunate that the letter was sent today, I have asked why none of those requirements are part of the new examination. I personally feel that we are jeopardizing public safety, the lives of our firefighters, by peritting firefighters to be hired that do not meet any of these 6 suggested national minimum physical fitness requirements.

In addition to that information, since last Wednesday's meeting I have heard numerous testimony from various firefighters indicating the need for physical requirements of a firefighter. All of you are familiar with the President of the Retired Firefighters, Chief John Brickley. I spoke to Mr. Brickley on Friday; he indicated to me at one time in his career he was fighting a fire in a basement in Downtown Pittsburgh in a pharmacy and was overcome by smoke. The basement was half-filled with water; he passed out, he was unconscious; the firefighter with him picked him up and carried him from the building. If that firefighter at that time did not have the physical requirements to do that, the present Chief of the Retired Firefighters would probably not be living today.

I received a letter from Mr. Pete Kalaba of which I have attached a copy to the information provided. I'd like to

read that letter.

"Dear Councilman,

I am opposed to the new test for firemen. I was a hoseman and ladderman for 20 years and Captain on Squad No. 5 for 5 years and Instructor of the Pittsburgh Academy for 5 years.

In all of my experience, I have never seen or heard of any fireman dragging a body that is unconscious, but still alive, across a floor in a building that is on fire or understand this kind of situation. One must be inside a building on fire, ceiling coming down, windows broken, plaster and 2 x 4's falling across the floor, boards with nails upright and glass strewn on the floor. No fireman would drag a body, live, across a floor in the above condition. Just think about it and form a picture in your mind of such a situation. Would a Captain command his men to drag a body across the floor, increasing the danger of injury to that person? So please vote no!

The demonstration on the clean smooth floor in Council Chambers does not compare with the inside of a burning building. Please accept that.

Very truly yours,

Pete Kalaba"

He further indicates in a p.s., "Would you favor lowering the standards of physicians or lowering the standards of bus drivers, or any important position, lowering the standards of the physical requirements for the position?"

We have had considerable discussion pertaining to this issue. I have also had other testimony. Another example and my last example is Lieutenant Paul Zandeer who has been on the force for 23 years. He told me that he had to rescue someone, a victim, six times in his career and all six times he had to lift that victim and carry them from a fire. It may not happen that often; it may only be once every three, four, five years that a firefighter is required to lift a victim or another firefighter and carry them from a fire. But when that time occurs, when that need exists, it's absolutely mandatory that a firefighter have the physical capability to rescue a victim.

We all know what the new examination suggests; that an applicant does not need or does not have those physical requirements. Pulling a dummy with a rope behind its back does not require the strength necessary equal to that of picking a 125 pound sandbag up.

We have further heard during last Wednesday's meeting through questions by Councilman O'Malley and discussions with Melanie Smith and others at the meeting that our past test has never been successfully challenged in court. We were led to believe that a week and a half ago at our Council meeting. The test that was successfully challenged in court was a physical fitness requirement for police officers in San Francisco, not the test for firefighters.

Further information to support this position is that our Fire Department is working with less people. In the past, they have had four and five people on a crew. Today, the average is three, which means that the physical requirements of those fighting the fire, seeing that it's only three, is even greater today than it was in the past. There is not the luxury of two firefighters getting to a victim as frequently as it was in the past. Therefore, the physical demands on the firefighter is even greater today. The buildings are higher; the ladders are higher; the equipment is heavier; the victims, the average person today, even

weighs slightly more than people did 20 and 30 years ago.

This is all, I think, important data which should lead this Council towards turning down the legislation before us today, Bill No. 504, which is suggesting that we allocate $18,000 to administer an inferior physical test for applicants into the Fire Department.

What I would like and what I am going to suggest and what I am going to motion is that we delay the final vote on this legislation for one more week. I would like an answer to my letter from Ms. Smith from the Civil Service Commission, and from the Fire Department indicating why the minimum physical fitness requirements as suggested by the National Fire Protection Association have not been incorporated into our new exam.

The Chair:

Mr. Wagner, if I understand your motion, it's to hold it here for one more week.

Mr. Wagner:

Yes.

The Chair:

I think that that would be improper. What you have to do is recommit it and have it come back.

Mr. Wagner:

Then I move to recommit the bill.

Mr. O'Malley seconded the motion.

Michelle Madoff:

Discussion. Wasn't it pointed out, I believe by Mr. Woods or was it Mr. Grabowski, that we have a deadline for the 26th? The test is going to be imminently upon us; we cannot delay the vote.

Mr. O'Malley:

If I may make a few comments on the recommittal and the reason for recommittal. It's interesting. In the Pittsburgh Press, Thursday, April 12, there's two paragraphs I'd like to read from a Toni MacIntosh; Miss MacIntosh is Pittsburgh's only female firefighter. Some of my colleagues might have missed this because it was in the metro, in the afternoon addition, but it wasn't in the evening addition.

Miss MacIntosh is worried that a revised physical ability test for firefighter applicants may result in the hiring of a lot of "women who can't do the job". Miss MacIntosh was given the new test and passed it without difficulty. She states, "I don't understand why they would make the test so easy."

In reference to what Miss MacIntosh says, I don't think anybody in this Council, or Miss MacIntosh, wants to be discriminatory against any segment of society. But I think the Civil Service, in the sense of fair play and to qualify more people, went overboard with making the new test too easy. I don't think that the members of Civil Service or Melanie Smith understand the physical requirements of the job. I think what they're trying to do is trying to get this Council to pass a physical examination and one day it's going to come back to haunt all of us. All it's going to do is take the life of a one of the residents of the City of Pittsburgh or the life of one of the firemen or even one of the lives of the new applicants that are tested and can pass the physical but can't measure up to the physical stardards for

requirement for the job.

So, I urge this Council to hold this and refer this bill back to Committee so we can do two things; 1) that we refer the bill back to Civil Service. I think the old test may be a bit too difficult and maybe cannot stand up in a court case against discrimination. But I think the new test is too easy. I think what we have to do is refer this back to Civil Service; I think Councilman Stone should set up a committee made up of members of this Council to work with the Civil Service Board and come up with a compromise between the old test and the new test and to make sure that we are not jeopardizing the lives of our firemen by passing this test that is too easy.

So, I would urge members of this Council to vote for recommittal and to set up a committee to maybe come up with a compromise test.

Mr. Woods:

Mr. President, if I may. On the recommittal, I would ask my colleagues not to recommit. This is an entrance test, to get into the Academy. It's somewhat like many of us who went into the service, going into boot camp. We couldn't do 100 push ups, some of us couldn't even do one. But after 8 weeks of boot camp you could do the required number. I feel this is the same thing. This is just going to get them into the Academy, this type of test, the same as the mental test. They have to perform in that Academy, upon graduation, they have to meet certain standards which all our firemen have and at that point, they are qualified or not qualified. They either graduate or are dismissed from the Academy. This is all we're talking about; to get into that Academy. It has nothing to do with what kind of firemen they are. There were firemen who didn't take this test in 1972, part of 1972. Are we going to say that all the firemen prior to 1972 were not qualified? Just like the letter we got from Mr. Kalaba that Jack sent us, he didn't have to take this physical test yet he was a well-qualified man. The Lieutenant he's talking about in service for 23 years, he didn't take the test 23 years ago, yet he saved 6 people's lives. And that was because of the Academy. This is what we're talking about; just getting into the Academy.

So, I would urge my colleagues not to recommit and let's vote on this bill.

Mr. Wagner:

I'd like to make a point on the recommittal. Also in my discussions with various firefighters, including Chief Brickley, including Mr. Kalaba, including Bernie Burns, the requirements at the fire-fighting academy have lessened over the last 10 to 20 years. They have lessened dramatically in comparison to the past. So, it did take greater physical requirements from the individual, the applicant, to get through the Fire Department years ago in comparison to today.

So, I personally do not think we can compare the Academy today with the Academy of years ago. The best procedure for screening out bad applicants is through the pre-employment screening procedure. There is not a Director in the City of Pittsburgh that will not agree with that. It's very difficult once someone is aboard, it's much more difficult once someone is aboard, to terminate that person. The best and most effective way is by screening that applicant prior to hiring that applicant.

The Chair:

We are getting a feel that the issue before us now is whether or not to

recommit.

Michelle Madoff:

Point of order. Clarification. Will we have a chance to address the bill? I was abiding by your procedure; we were just voting on whether to — But I would like the opportunity to address the bill.

The Chair:

Call the role on the recommittal.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. O'Malley	Mr. Wagner
AYES 2	NOES 6

VOTING NO:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

The Chair:

On the bill itself?

Michelle Madoff:

I was trying to abide by your rules and I did not take the time to address it but everyone else did so I would like to take the opportunity.

I have in my hand a fraction of the calls that have come into Council and they all say the same thing — I think Mr. Wagner will find this interesting — against lowering the standards for firefighters. Well, we don't want to make this a male/female issue but as Mr. Robinson so succinctly stated, the lawsuit really addressed itself to discrimination for people who would like to get into the uniformed section of government. That does mean that we are discriminating against women.

There is not a member of this Council that wants to lower the standards of firefighters, not firemen, firefighters, Mr. Woods. We all want the best firefighters but it is my opinion and that of many women in the women's movement, that the test comes, as Mr. Woods has touched on, when the training is completed, not when they go in to take the test because, if memory serves me well, the one sole woman who is on the Firefighters Association for Pittsburgh got the job because they did not take the top applicants but because of the Human Relations and the quotas that were open the year that she was accepted. I think she says so in the article herself. Therefore, she had the opportunity, because of fairness, to even have the opportunity to be a firefighter. If we give women the opportunity and if we do what Mr. Wagner has stated, get the test, as I arranged to have, into this meeting and we saw the test. If more people see the test for an ongoing period of time, we will encourage more women to attempt to be firefighters. We will have more graduates who will be competent firefighters and many of them will be women firefighters.

Now, going to these messages that

have come into my office, and as I say, every time you see one you know they represent hundreds of others, vote against lowering standards. Yes, I vote against lowering standards. That means that when they come out of the program, out of the training, they will be every bit as good as the men firefighters if they are women. Everybody will be treated equally, man or woman. However, let us go back and point out that many of the original applicants who are in our firefighter division, who are probably of my vintage age-wise, over 30, over 40 — someone said for 50 I'm a "10" so that's alright — that they got in because of their Ward Chairman. That's how they got the job, through their Ward Chairman. They didn't take a test. And I think that what Mr. Wagner is doing is opening up a bag of worms and I'll tell you why. With all due respect, I think his intentions are very well-meaning but I have been told by people who have been calling our office all morning who saw us on the show Saturday night, saying, "Women belong in the kitchen; get back in the kitchen, barefoot and pregnant; that's where you broads belong." Number one. I'm getting calls saying, "Please vote for fairness and please vote against lowering standards." Nobody wants to lower the standards; what we want is the opportunity for women to have the same opportunity and the test as it is presently drafted, unless we change it, discriminates against women. So, let's call it and tell it like it is.

Now, if indeed the arguments that have been so succinctly put out by Councilman O'Malley and Councilman Wagner are true, that we want our firefighters to be able to lift Mr. Stone out of a fire, and they may only be able to lift 175 pounds — I don't want to ask your weight —

The Chair:

You missed by one pound.

Michelle Madoff:

I'll applaud that; that's called thinking on your feet.

When they're carrying a 50 pound hose and the boots, the fact remains, Mr. Stone, if you're going to require the present firefighters who come out of the program to be qualified to lift Mr. Stone or Commissioner Foerster or my good friend Jim Flaherty who has traded the weight with Commissioner Foerster, then indeed, if it's a matter of letting someone, as we did this pandering to emotionalism — If we're going to let someone die in that fire — then let's make sure that all the firemen can take the test and lift the person every single year because that's what you're saying. The women have told me, the women's movement, NOW leadership has called me and said that if the women are discriminated from getting into the test to have the opportunity to be as qualified as men, and if they're not as qualified they will not be accepted nor do they want special favoritism, then they are going to go to court and they are going to require that all firemen be tested every year to see if they can save that person with fire on their back that we are pandering to the emotionalism.

I think that's terribly unfair to discriminate against women in that manner; I'm angry and I just wanted to express my feelings.

Mr. O'Malley:

I'd just like to make a couple quick comments. One, to correct Councilman Woods, my dad was a policeman and we have some firemen in the family. At that time, which was

over 30 years ago, you had to be 5'10", 160 pounds or more, and have a high school education. Right now, all three of those requirements have been eliminated.

Mr. Woods:

How are you correcting me, Mr. O'Malley?

Mr. O'Malley:

You said there was no physical requirements to be a firefighter —

Mr. Woods:

A physical test; that's what I meant. If I said physical requirements, I apologize. I meant physical test prior to 1972 and there wasn't any to my knowledge and I guess to everybody else's research here.

Mr. O'Malley:

What I fail to see is why we're in such a hurry.

The Chair:

Mr. O'Malley, I think we've answered that one.

Mr. O'Malley:

Well, it's wrong. They're not going to hire any firefighters until fall or late fall. That was stated on KOV news this morning on the way in. We all know how accurate KOV news is, the actual reporter was Mr. James here.

So, there is no hurry rushing this piece of legislation through. I fail to see why we can't take a couple weeks and see if we can come up with a compromise test. Even Charlie Lewis who has been a firefighter all his life agreed that everybody in the room that morning could pass that test. There was approximately 50 or 60 people in there; there were some men and some women in their 50's and 60's. I don't think what we need is a test that everybody in the City of Pittsburgh can pass.

Again, I would urge my colleagues to vote this bill down; at least send it back to Committee so we can take a couple more weeks to make sure we don't endanger the lives of our residents.

The Chair:

Mr. O'Malley, we've already ruled on that one. The desire of this Council is to proceed.

Mr. Wagner:

Mr. Stone, may I comment on the bill? This is not a male/female issue as I have stated many times. This is a job qualification issue. A firefighter is as important to our society when the time arises as a physician is to our society. If certain groups of people in our society are physicians because they have certain qualities that other groups do not have, such as possibly finger dexterity, which makes them more capable of doing their job, they certainly should be doing that job, no matter how many are in that profession. The same situation exists, to some degree, with firefighters. This job is pure and simple, a job qualification issue. You need written or mental attributes and you need certain physical attributes. Without the two, you cannot be a quality firefighter.

The major problem with the past exam is not that certain protected groups could not pass the exam. The problem with the past exam is that the past exam was not well publicized. The present exam has been sent out to each and every applicant, well in advance, and

in that exam they indicate there's a guide and an illustration of the physical test required in that exam. It gives each and every applicant the opportunity to practice, to train, to do certain exercises, to make them more capable of passing the exam. That was not the case with the 1978 exam. Therefore, the exam was changed in order to hire certain protective groups of people but, in fact, the exam was not the reason why certain protective groups of people were not hired. The problem was that those applicants back then were not well-educated as to what the exam included and were not given enough time to prepare sufficiently and to train to take the exam.

Let me repeat again. This is not a male/female issue; this is a job qualification issue. I read standards that have been suggested by the National Fire Protection Agency. There is no reference in those standards pertaining to male/female or any other group of people. They only refer to qualification. One particular qualification is endurance. Each and every group in our society should be able to physically prepare to endure a test. That is not part of our present exam. What I'm saying is, the proposed exam, the dollars that we are allocating and are supporting — we are supporting that exam by allocating these dollars — is the frontrunner of wrecking a quality Fire Department. History is going to prove this. We have permitted the Personnel Department and the Civil Service Commission to dictate what we, as elected officials, should be determining. True, federal law and state law may not give us that ability; but it's certainly does, this Charter does give us the ability to allocate the dollars. I firmly believe that if those standards are not what they should be to protect life and safety in this City, we should not allocate those dollars.

Michelle Madoff:

Mr. Stone, I cannot let this matter rest on that note. Everybody's had a chance for rebuttal and I would like, very briefly —

The Chair:

Alright but you are the last one; we'll make it short and we'll move on for the vote.

Michelle Madoff:

We are intelligent Councilpeople, each and every one of us. The issue, as far as the test is concerned, is a moot issue. It doesn't matter. What matters is that people coming out of the firefighters' training will be on par and equal whether they're men or women. The test, as it is presently drafted, discriminates against women. I will tell you that if you discriminate against women, those women are going to discriminate against the present firefighters by challenging each and every one of them to pass the test today and they can't do it. I just wanted to bring that out.

The Chair:

A rebuttal is not repetitious.

Michelle Madoff:

I believe that Mr. Wagner was very repetitious and you didn't call him on it so let's not be discriminatory. Thank you.

The Chair:

Call the role.

Mr. Grabowski:

I vote aye on all bills and with

regard to Bill 504, obviously a lot of controversy has been generated in the last few weeks by this bill and the question of public safety has been raised. I think I am just as concerned about the public safety as anyone on this Council and that's why I am casting my vote in the affirmative.

The reason this bill is before us in the first place is because we do not have a full complement of firefighters. This legislation will pave the way for us to hire more firefighters, consequently insuring greater public safety. To delay this any longer, I feel, would be a disservice to the citizens of the City of Pittsburgh.

With that, I close my statement and vote aye.

Mr. Robinson:

I vote aye and on Bill 504 I'd like my comments from Wednesday, April 11, 1984 brought forward and also the conversation between myself and Melanie Smith, Director of Personnel, John Bingler, Chairman of our Civil Service Commission, and Ben Havllar, Senior Assistant Executive Secretary to the Mayor's Office.

(BEGINNING - MR. ROBINSON'S CONVERSATION WITH DIRECTOR SMITH ON BILL NO. 504 - WEDNESDAY, 4/4/84)

Mr. Robinson:

Melanie, I have a couple procedural questions to ask, then maybe a couple substantive questions. As far as the Uniform Selection Guidelines are concerned you indicated were instituted in 1972, is that correct.

Director Smith:

The Guidelines are more recent. They have been revised since the passage of them.

Mr. Robinson:

Were there some guidelines instituted in '72?

Director Smith:

Yes.

Mr. Robinson:

Who instituted those guidelines?

Director Smith:

The Federal government.

Mr. Robinson:

Based on what?

Director Smith:

The Civil Rights Act.

Mr. Robinson:

Of which year?

Director Smith:

The Civil Rights Act was passed in 1964. It was amended in '72 to become applicable to public employers as well. The guidelines have gone through a few changes. Different Federal departments issued their own guidelines; now they have been consolidated into what is called the Uniform Federal Guidelines.

Mr. Robinson:

Okay. Have all of our tests

subsequent to 1972 conformed to these Uniform Selection Guidelines?

Director Smith:

Yes.

Mr. Robinson:

The tests that have been issued, have they been approved officially by some Federal or State agency?

Director Smith:

Not in all cases, no. The firefighters' test particularly was litigated in the early Seventies. Judge Teitelbaum was the Federal Judge that heard this particular case. It was as a result of that litigation that the written examination that had been used in 1972, when it was possible to validate it, was not sufficiently valid that under the Court Order we were not permitted to continue to use it.

Mr. Robinson:

Okay. The action in Judge Teitelbaum's court, did it result in any orders to the City of Pittsburgh relative to the firefighters' exam?

Director Smith:

My recollection is that the Judge kept, I guess, continuing into the case, but there is no Order such as there was in the Police case. There was no quota instituted. We were directed to be sure that our selection procedures, our entrance procedures, were done in accordance with law and in accordance with the guidelines.

Mr. Robinson:

So, okay, so right now we are under no Court Order relative to the composition of our Fire force?

Director Smith:

That is correct.

Mr. Robinson:

Has the Civil Service Commission, since 1972, taken the action to change the composition of our Fire force in any way?

Director Smith:

Yes. They have done, I guess, two major things — one is to conduct very intensive affirmative action recruitment campaigns target exclusively to those persons excluded from the Fire process, those groups being minorities and females. In addition, they have been researching for some time and working for some time on finding a new method of physical performance testing, particularly because the examination we have been using has been ruled illegal in other cities. It has been discontinued.

Mr. Robinson:

Based on what authority has the Commission been doing this?

Director Smith:

On the authority under the Civil Service Statute and its requirement to comply with the Federal laws.

Mr. Robinson:

As far as the physical test as given to the firefighters, is your department involved in administering that test?

Director Smith:

Yes.

Mr. Robinson:

Are the people administering the test familiar with what firefighters do on a daily basis?

Director Smith:

In order to develop an examination it is necessary for us to conduct a very thorough job analysis in which we are required, just by the nature of performing job analysis, to work very closely with the Fire Department, its employees, its supervisors, and the Chief, and they are involved directly in the job analysis.

Mr. Robinson:

Is it fair to say on a day-to-day basis that firefighters are not on the scene of a fire?

THE CHAIR COMMENTS

Director Smith:

I'm not sure I understand.

Mr. Robinson:

Is it fair to say the vast majority of firefighters, on a day-to-day basis, are not fighting fires?

Director Smith:

No, that isn't a conclusion that, at least, we would have made for the job analysis. We are very much aware of the fact that there are slow houses, there are fast houses, there are people that don't go out except for training runs, depending on the nature of the house they work it, the frequency of calls, and there are other houses that are very busy, that are constantly out.

Mr. Robinson:

Is it fair to say that firefighters do things other than fight fires?

Director Smith:

Oh, yes.

Mr. Robinson:

Is it fair to say that probably most of their time is spent doing other things than fighting fires?

Director Smith:

I would say at least a considerable amount of their time is spent in other than firefighting activity.

Mr. Robinson:

The physical exam, once it is completed by an individual and that individual is hired, are there any other additional physical requirements that that firefighter has to meet during their tenure on the Fire force?

Director Smith:

Following examinations they are required to pass a very thorough medical examination with the Civil Service Commission. When they are appointed they go through very vigorous training at the Academy and serve a three-month probationary period, which includes their Academy time, and time out at the Fire Houses. It is then up to the Chief to decide whether or not to give the probationer final appointment at the end of the probationary period.

Mr. Robinson:

To your knowledge, is there any time during the tenure of a firefighter's service on the force that he or she would

have to take another physical examination?

Director Smith:

Yes, upon promotion.

Mr. Robinson:

Would this physical examination be one that would require them to perform simulated duties that a firefighter would have to perform in fighting a fire?

Director Smith:

No, it is a medical examination not a physical performance examination.

Mr. Robinson:

So at least since 1972 we have no way to measure whether our firefighters are physically capable of fighting fires, no way that we can measure it, Civil Service Commission can measure it by any test or any examination if they can physically fight a fire?

Director Smith:

Other than the medical examination, no.

Mr. Robinson:

I would assume that one validation of that process would be the act of fighting a fire, that is if a firefighter survived a fire and if, indeed, the Chief or someone did not make any report which would suggest that anyone did anything that was incorrect.

The point I'm getting at with this line of questioning is that I think that certainly the physical aspects of the job are important, and I agree with Councilman Wagner that we need people who are physically able to perform firefighting functions when they are required. Better to be prepared and not have to fight the fire than have to fight the fire and not be prepared. I am concerned that even if those individuals who originally are prepared to fight a fire could possibly fight it if it occurred the day after they were physically qualified, that two, three, four, five years down the road they might not be able to physically fight a fire and we wouldn't know it. The only way we would know it is if they actually went out to the fire, attempted to fight it, then we might find out they physically could not carry the 125 pound bag, may have gained 20, 30, 40, 50 pounds. They may have a bad heart, bad knee, may have a broken wrist. I am more concerned, if indeed we are going to do this testing, I think the testing is necessary for a lot of reasons, that we also begin to look seriously at requiring our firefighters to be retested, because their primary responsibility is the protection of the people of the City of Pittsburgh if a fire occurs, and we need to know in advance that they are physically capable of fighting a fire, even though, probably, most of their time is not spent fighting fires.

All you have to do is go to a Fire House — I'm not trying to take anything away from what they are doing, I'm simply saying physically what they do in a Fire House is not reflective of the test they have to take. The test is reflective of them having to go out and fighting a fire, which, thank God, doesn't occur that often in the City.

Director Smith:

I understand the point you are making. I can't disagree with it. They physical exams were only instituted in the Seventies for promotion. Prior to that there wasn't even a medical exam.

The Commission appreciates the need for people to remain able to perform that function, even Officers that go to a fire scene and are very active at a fire scene.

(END - MR. ROBINSON'S CONVERSATION WITH DIRECTOR SMITH - 4/4/84)

(BEGINNING - MR. ROBINSON'S REMARKS ON BILL NO. 504 - WEDNESDAY, 4/11/84)

Mr. Robinson:

If I might, I'd like to take a little different direction and follow up on an issue that I raised on Monday and my concerns can best be addressed by Mr. Bingler who is the Chairperson of our Civil Service Commission and Mr. Hayllar, who is the senior staff member in the Mayor's Office.

It seems to me that the issue is, what policies and procedures do we have in the City of Pittsburgh to insure the recruitment selection, hiring and advancement of all segments of the City of Pittsburgh's population to be employed in our uniformed services, whether it be fire, police or emergency medical services. It seems to me that in part the test wa changed to accommodate providing opportunities to all segments of our population and particularly those segments that seem to be obviously under-represented. To me that is the issue that we should be discussing and it seems to me that unless we address that, that is, whether we accept the old or the new test, is not going to have any serious impact on what I perceive to be the Civil Service Commission's attempt to provide opportunity for everybody in the City.

The first question should be for Mr. Hayllar and I would assume that Mr. Bingler would be able to at least attempt to address these same questions. Certainly my questions are not designed to be argumentative or in to any way embarrass Mr. Hayllar or Mr. Bingler, but simply to get a better fix on what we are or are not doing in this City and how this relates to this whole issue of recruitment for our firefighters.

The first question relates to the rationale for the test and I was wondering if Mr. Hayllar, as a representative of the Mayor's Office, can give to this Council the rationale for this new test.

Mr. Hayllar:

Councilman, that's a procedural question in terms of the policy that we're all seeking; you've articulated it very well. We are trying to provide the opportunity for consideration for employment to everyone who is qualified and the art is to find the test that screens out people on an appropriate criteria and does not screen people out for inappropriate criteria. So you've articulated what we all want to do, and the Civil Service Commission's charge is to find the best means to do it. So you and I have the easy part.

Mr. Robinson:

Am I to understand, then, that this test, the new test, the one that is being considered before Council today, is designed to increase opportunities for minorities and women, and others who traditionaly have not been substantially represented in our uniformed services in the City of Pittsburgh.

Mr. Hayllar:

If the restatement of your question is is this test attempting to be fair, that is my understanding.

Mr. Robinson:

As far as the policy and procedures that will bring about this fairness, specifically, specifically for minorities and women, and we only need to go back to 1972, is there a written policy and set of procedures to accomplish that goal, and that goal is to increase the numbers of minorities and women employed by the City of Pittsburgh, recruited by the City of Pittsburgh and advanced by the City of Pittsburgh?

Mr. Hayllar:

I think the specific answer should come from the Civil Service Commission and the City Solicitor, because there is a large body of information.

Mr. Robinson:

Let me just ask you one other question, if I might. Have the Civil Service Commission and the Human Relations Commission been involved in developing any policies or procedures that will be reflective of the City's position around recruiting, hiring and advancing minorities and women?

Mr. Hayllar:

I certainly hope so.

Mr. Robinson:

But you don't know whether they have or not?

Mr. Hayllar:

I could not specify a joint meeting of those bodies. They are clearly both organizations. Both Commissions are involved in that activity.

Mr. Robinson:

Mr. Bingler, if I can relate those same questions to you — let me go through them again. The rationale that the Civil Service Commission used in putting this second test together —

Mr. Bingler:

Well, the rationale the Civil Service has used is to try to develop and improve on testing procedures designed to, in a non-discriminatory way, rank the candidates who come forward and apply according to their trainability as firefighters. That is what the test is designed to do. We are not testing people to see whether they can right now take people out of windows, we are testing in a non-discriminatory way their trainability to be firefighters.

Let me give you an example. When I was in the service I applied to be an Underwater Demolition member. One of the entrance tests was you had to be able to swim, any way at all, 100 yards, on your back, however. You could take as long as you wanted to do it, but before you completed the training program you had to be able to swim eight miles, with fins on, from one island to another.

MICHELLE MADOFF COMMENTS

Mr. Bingler:

Sure. Everybody that graduated did. We started with 100 and ended up with 25. But, we are not testing whether people can presently carry dead weight or get people jumping out of windows; we are testing trainability in a non-discriminatory way.

Mr. Robinson:

Does this testing —

Mr. Bingler:

Or trying to, let me say, trying to improve on older tests.

Mr. Robinson:

Does this testing at all relate to any overall policy that the Civil Service Commission has to increase the number of minorities and women recruited, employed and advanced by the City of Pittsburgh?

Mr. Bingler:

I'd have to say yes to that. I don't think there is a written policy, but I think it is the demonstrated commitment, at least as far as I'm concerned, of our staff to accomplish those goals, and I think it is the commitment of the present Civil Service Commission to do that same thing.

Mr. Robinson:

Let me follow up on your answer to the issue of a policy. Is there a written policy and set of procedures to accomplish the goals of increasing the number of minorities and women recruited, employed and advanced by the City of Pittsburgh?

Mr. Bingler:

Not that I know of.

Mr. Robinson:

Okay. In terms of saying written, as far as you know, no.

Mr. Bingler:

Nobody has ever shown me one and said you follow these.

Mr. Robinson:

Okay. Has the Civil Service Commission, the Mayor's Office, and the Human Relations Commission worked on a written policy and set of procedures to improve the number of minorities or women employed and eligible for advancement within the City of Pittsburgh's workforce?

Mr. Bingler:

We haven't worked on a written policy. We have worked with that policy. As far as I know it is in existence, and we operate on that basis.

Mr. Robinson:

Okay. In reference to the test, the firefighters' test, did either the Mayor's Office or the Human Relations Commission work with the Civil Service Commission in putting that test together?

Mr. Bingler:

I don't think so, but we do that as our responsibility. I think maybe the staff consulted, but I don't even know that.

Mr. Robinson:

Okay. Let me ask a couple questions of Mr. Pellegrini, if I might, along the same line, and, again, as I said, I'm trying to get some clarification as to what we are and are not doing.

Mr. Pellegrini, to your knowledge are there any written policies and procedures that the City of Pittsburgh is following relative to the recruitment, hiring and advancement of minorities and women in the City of Pittsburgh?

Mr. Pellegrini:

Under the Police and Fire cases, I think there was a policy instituted for it. I don't know if it was written, and I don't even recall now whether or not it was under the order of recruitment of minorities and women into the testing process. I think the answer to your question is, obviously there is a concern about it or the adverse impact, the four-fifth rule, or the change in the test would not have occurred. I think policies are nice, and written policies are nice, but I think we have the proof in the pudding here.

Mr. Hayllar:

In, Councilman, what is generally referred to as the Mayor's First General Executive Order, which he gave back in 1977 in the form, I believe, of a letter to all department heads he stated that as the goal, policy, of his administration, and we have sought to implement that.

The procedures I don't think have been written down because that is something you constantly work on, on a case-by-case basis, depending on what the hiring is, but now, Council, that is presumably what is referred to as the Mayor's First Executive Order.

Mr. Robinson:

Then what implementing procedure is in place to make sure that the Mayor's Executive Order No. 1 of 1977 is being adhered to?

THE CHAIR COMMENTS

Mr. Robinson:

Okay, but in terms of a procedure to implement Executive Order No. 1 of 1977 issued, I assume, by Mayor Caliguiri —

Mr. Hayllar:

Yes, sir.

Mr. Robinson:

Issued by Mayor Caliguiri, I am saying what is the mechanism this Executive Order is supposed to be implemented through?

Mr. Pellegrini:

I think through the Civil Service Commission's selection process. In this case there was an adverse impact against a specific group, a protected group, therefore you had to look at the test.

Mr. Robinson:

Okay, if I understood — and I am winding down now — if I understood Mr. Hayllar correctly, that Executive Order did not include any set of procedures or implementing mechanism, is that correct?

THE CHAIR

Mr. Robinson:

Okay. Is there any way that the Directors of the departments who were subject to this Executive Order complied with that Executive Order, any validation that there is any compliance with the Executive Order?

Mr. Hayllar:

The EEO report annually covers those in a City-wide sense, those numbers. We are always looking for improvement in areas where we are clearly deficient. In general there has been improvement; no one is going to say it's enough, but that's something we can point to on the chart.

Mr. Robinson:

One other question. It may be redundant, but I think the record should reflect some answer or some response. Do either of you three gentlemen, Mr. Bingler, Mr. Pellegrini or Mr. Hayllar, can you identify whether or not the City of Pittsburgh has a written Affirmative Action Equal Opportunity Program presently in operation.

Mr. Pellegrini:

As Mr. Hayllar said, I think Executive Order No. 1 said it, and, number two, I think it is the law to have it.

I think the reason all of us are having problems is that you can't have a written policy for, like the one that you described, other than the goal, and I think the goal is that you make City jobs available and make sure that people are hired in all classifications. I mean, it is simple. It sounds simple, but what you do is you try to accomplish that goal.

Mr. Robinson:

One other question. This is my last question for Mr. Pellegrini. Based on your present knowledge of the City of Pittsburgh Charter and our City Code, does the City of Pittsburgh's Commission on Human Relations have the power to set a policy and procedure for this City to recruit, employ and advance minorities and women with the City's workforce?

Mr. Pellegrini:

I have to look at the Ordinance, but my recollection is that there is nothing in the Ordinance that deals with that in the powers of the Human Relations Commission. The Human Relations Commission essentially is empowered to receive specific complaints of discrimination on the part of individuals, and investigate those complaints. I do know as part of the over-all investigation, whether it is by the Pittsburgh Human Relations Commission, the State Human Relations Commission or the EEOC, they ask for numbers of minorities and women in that whole job classification, so in a way your answer would be no, not in general, but once they get, once someone complains they do look at that situation.

Mr. Robinson:

Mr. Bingler, do you have a comment?

Mr. Bingler:

I think Mr. Pellegrini's answer was correct. I have a recollection that there may be a provision in the Home Rule Charter on the specific areas relating to the Human Relations Commission that talks in those terms. I just don't remember the terms.

Mr. Robinson:

Just for point of information, not to embarrass Mr. Pellegrini or anyone else, I think if you look at Section 653 in the City Code, under Duties and Powers of the Human Relations Commission you will see that they do have powers in this regard. At least that is my interpretation.

My reason for asking the question was trying to determine what, if any, role the Human Relations Commission might play in trying to establish a policy and procedures, and, at the same time, identify an appropriate agency, which I believe would be the Human Relations Commission, to make sure that that policy is carried out. You would have to look in the City Code.

Mr. Pellegrini:

I don't have the Code. There is nothing under the Charter that confers them that power.

Mr. Robinson:

Just one other comment. If you would be kind enough to review that section of the City Code —

Mr. Pellegrini:

Section 653?

Mr. Robinson:

Yes. On the 18th of this month there will be some people here from the Human Relations Commission and Mayor's Office to address this issue in terms of over-all employment in the City, and one of the points I want to make is perhaps we are not fully utilizing the Human Relations Commission. This Council spends an awful lot of money every year to fund that agency, and I think there are a lot of very positive services they could provide to us if we reached out to them, and they might be able to make our job a little bit easier.

(END - MR. ROBINSON'S REMARKS ON BILL NO. 504 - WEDNESDAY, 4/11/84)

Mr. Wagner:

I vote no on Bill 504 and on Bill 504 I would like my comments brought forward from April 4, 1984 and April 11, 1984.

(BEGINNING - MR. WAGNER'S REMARKS ON BILL NO. 504 - WEDNESDAY, 4/4/84)

Mr. Wagner:

I'd like to know, being a new member of this Council, are we going to have — A week and a half ago, at the Mayor's Conference meeting, I requested copies of the last physical examination given to prospective candidates for the firefighters' position, and the present 1984 physical examination that will be given the firefighters. Why the changes? Obviously, in looking at the two of them, the requirements this year versus the requirements of the past physically are much, much less demanding, which indicates to me that we are seeking out less-qualified candidates.

Director Smith:

Well, I disagree that they are, necessarily, less strenuous. I am not real sure why you feel that. The history of the performance test has been that it has had a very adverse impact against females, particularly. Our obligation under the Uniform Selection Code Guidelines is to seek and find job-related tasks that don't have this very adverse impact and disparity, adverse impact among the different groups.

Mr. Wagner:

How, specifically, did the past test indicate that?

Director Smith:

Probably 90 to 95 percent of the female applicants failed the test.

Mr. Wagner:

Okay. What specifically pertaining to the present firefighters? Have we seen a flaw? Where have we seen flaws in their physical capabilities?

Director Smith:

I wouldn't say that we have.

Mr. Wagner:

Then why the need to change? You indicated, first of all, that there are no significant differences in the test. I disagree with you totally. One example is chin-ups. There are no chin-ups required in this physical exam. The sandbag run, where a candidate had to pick up a sandbag, put it on their shoulder, weighing 125 pounds, and maneuver through a course with that, up a few steps, down a few steps; now the candidate has to drag a dummy, with a rope already attached to it, weighing 145 pounds; much, much less demanding physically.

There are significant differences in the test. The most significant difference in the test is the past test, you had to pass each portion of the test to continue to proceed.

Director Smith:

Yes.

Mr. Wagner:

That is not the case now. There are significant differences here, and, in essence, what we are talking about is the lives of the citizens of the City of Pittsburgh, and there is not a person in this City that does not want to be sure that the firefighter that is coming in to rescue them can physically meet the demands of the job. And, what I am suggesting here is that due to the reduction in the physical capabilities that we are suggesting that we are not seeking out people that have the physical qualifications for this position.

Director Smith:

Well, I disagree with the Councilmember in that I don't think these events are necessarily going to be less strenuous. One of the difficulties we used to have with the test before, and the differences the first year we administered it, we did not have cut-offs where if you didn't pass each event you couldn't pass through the test, and we will start this new examination the same way.

Until you have the stats on the university that takes the test it really isn't appropriate to predetermine what the cut-offs will be.

The differences in the events, we think these are much more job-related things; what we are testing for before were, in fact, not necessarily things firefighters really did on their jobs, and I don't think this is reducing the standards. We feel this is still a fairly arduous examination. We sent a description of the events out, as we have in the past, so people can prepare themselves for that examination.

Mr. Wagner:

Well, preparing for the examination isn't the question here. The major question is what flaws have existed in the past which you can indicate today with people that are firefighters, which indicate that there is a need for changing the physical requirements for that position?

Director Smith:

I don't think there are flaws in the firefighters whom we have hired. Under the Uniform Guidelines if an employer is using an examination or any selection instrument that has a disparity, is an adverse instrument against one protected group, it has a responsibility under the law to seek an examination that still measures job-related characteristics but does not have the unnecessary adverse impact, and that is what we are

attempting to do.

Mr. Wagner:

Let me backstep here. Who is the protected group?

Director Smith:

Any of those groups covered by the Civil Rights Act.

Mr. Wagner:

Who is the protected group when we are talking about a fire? Who do we want to protect?

Director Smith:

In that case we are protecting the public.

Mr. Wagner:

That's right. The major objective of this City in hiring people for any position should be the people who live in this City.

Director Smith:

They always are. That is ultimately the Commission's primary concern.

Mr. Wagner:

I see a tremendous difference in job qualifications here physically, which indicates to me that we are subjecting our public to additional hazards that they have not been subjected to in the past. If we do not have the qualified people to rescue those people because they do not have the physical qualifications —

Director Smith:

Mr. Wagner, we hired firefighters for years with no performance examination at all, only the written examination. Performance was only introduced after the passage of the Civil Rights Act, and when an employer issues new examinations they didn't previously use, and they have an adverse impact on minorities, females, or other protected groups, there is a very heavy burden on the employer to show the introduction of that new test was necessary, particularly when it hasn't been used before. We never measured firefighters' physical performance until 1972.

Mr. Wagner:

Well, physical requirements of the past, which I am requiring this examination to 1978, appear to be good, necessary qualifications physically for the position. I applaud you for the mental qualifications that are now necessary for the position, and I suspect they were not part of the examination process of the past, but there is a distinct difference here, there is a distinct difference in the type of people that we are hiring. We are subjecting our public to potentially additional hazards because we are seeking our people that don't have the same physical qualifications, and the number one concern here has to be the public, and I don't think that is the case.

Director Smith:

Well, just to give an example, without belaboring the point, the sandbag run in the prior examination is, in fact, a work sample that our firefighters rarely, if ever, perform on the job. The intent of it was simulating putting an average-weight person over a person's shoulder, which doesn't happen on the job, and removing them, or being able to maneuver with that weight on one's shoulder. In truth of the matter, when we did the more recent job analysis with

the Fire Department, that is an activity that doesn't happen. People are not removed from a fire scene that way, so our test was, in fact, testing something that was not job-related for our position, and it was testing for abilities that were not required on the job.

One of the things that was very, very difficult, and many cities, many employers have lost litigations over it, is when you are using something like a sandbag that doesn't represent the body being removed at all, clearly, right away, you are not testing for the duty you are presuming to be testing for. The articulated dummy which will be used in the new examination is an identical replica of a human body and the event much more simulates what really happens on the job than what people might perceive happens on the job.

Mr. Wagner:

Okay, in regard to that specific point I disagree with you again. Firefighter after firefighter, I could give you examples where people actually lift people in that profession.

Now let's talk about the present exam. You talked about the dummy, pulling of the dummy; let me read to you what the criteria indicates in this test, "Grasp the rope loop at the back and then drag it through a course approximately 50 feet." Now, in how many situations will a firefighter ever enter a building and find a victim with a rope around their back that they can grasp and pull that person?

Director Smith:

They won't, but they frequently will encounter clothing and something to hold onto to remove the person.

Mr. Wagner:

Well, no, I totally disagree with you, not similar to a rope, not capable of withstanding the test that a rope can withstand. Quite often they may find them without clothing on. They may have to lift that person, as is indicated in the previous test, and I, personally, I think that this test is not realistic to the situation. And how this test ever originated, I don't know, but I really think we are doing an injustice to our public by lessening the physical demands of this position.

Director Smith:

Well, I disagree that it is a lessening of the demands. I think these events will test the duties that, through recent job analysis, have been identified as frequent and critical duties, and the kind of duties under the Guidelines employers are required to select.

Mr. Wagner:

We could do a survey today of the firefighters in this City and I would bet anything that they will indicate that the 1978 examination is better criteria for evaluation physically than this 1984 exam, and there is no way that can better determine that than them.

Director Smith:

The Courts have disagreed with that. People's common perceptions or prejudices about jobs don't make for fair, valid selection, and the burden that the employer has through the Court, subject to litigation, is that they have analyzed the job that they have done in a professionally acceptable manner, they have related events for a selection instrument to the aspects of that job, and that they are testing for the skills actually performed most of the time on

the job, not for the once-a-year competitional thing, but for the frequent occurrences that make up the bulk of the work that a firefighter performs.

Mr. Wagner:

The bulk of the work is saving lives, and we are reducing that potential.

Director Smith:

I disagree with you.

Mr. Wagner:

What is the bottom line here? The bottom line is saving lives. We are reducing that potential. We are increasing our liability. We are in every way subjecting this City to additional hazards.

Director Smith:

I disagree. I think these events will test the skills needed to be a firefighter.

Mr. Wagner:

I can show you — I won't do it now — but I'll lie this test down, the 1974 test versus the 1984 — I'll show you, with individuals that can pass the '84 test that cannot pass the '78 test, and the reason why is they are not as physically strong, and this job demands physical capabilities, and we are ignoring that.

Director Smith:

I don't disagree with the fact that it is a physically demanding job; I do disagree with your statement that we are ignoring it. I don't feel this test ignores that.

Mr. Wagner:

What is the potential of having these past requirements incorporated into the new requirements?

Director Smith:

Well, the purpose of developing the new examination is to have an imposed examination. What we have done is we have administered this new examination to a group of 80 current firefighters to determine performance levels on these events, and we will be refining the scoring process after we have tested the group of applicants that are now eligible for testing. But, performance of incumbent firefighters would be a key factor in the performance level of people to pass the examination.

Mr. Wagner:

So, in essence, what you are saying is, we are testing the test by hiring people, and I don't think that is a valid way to determine if we have a good physical examination.

Director Smith:

Well, the law really allows about two choices, and I have been unable to find a third one. One is you give an examination and hire people, regardless of the score, and after they have been on the job for a period of time you determine whether the high score and low score relate to predictability. The other option under the Guidelines is to have an examination tested out on your current incumbents, determine what their performance levels are, administer the test to a new group and hire those who perform the best, and end up, after they have been on the job. I think we have taken the most conservative, cautious approach we have.

The passing scores on the new exam will be related to the performance of current firefighters on the very same tasks, and we really do not believe this is a lowering of any requirement to gain entry into the probationary period.

Mr. Wagner:

That's where you and I obviously have a tremendous disagreement.

Director Smith:

I understand.

Mr. Wagner:

When you have at the top of one examination, "Must pass each event to pass the test as a whole," and the other does not have that requirement, right there I don't have to go any further, because what we are requiring here is a total physical test, and if you don't pass the first test, in this 1978 procedure, the first part of the exam, you can't proceed. That is not the case today, so there is an endurance factor there, and endurance factor incorporated into the past test, which is probably the greatest physical demand placed on a firefighter, the endurance at a fire scene, whether or not they can continue to perform for an extended period of time involved in various types of physical activities. In the first test, the past test requires that; today's test doesn't.

Director Smith:

When the past test was first administered, Mr. Wagner, in 1972, it didn't either, and that's the whole point that I have been trying to make.

When we first introduced what you are referring to as the 1978 test, and the candidates were apprised of what the events were — because we had not used any of those events before — we couldn't predict in advance what the minimum score would be on each event until we had seen everybody perform on all events. Once that is done then we can establish the minimum cut-off that is required for each event, but we can't do that in advance.

After that was done, the second year we gave the 1972 test, we knew what the minimums would be. We announced them in advance. If you didn't do the sufficient number of a particular event you stopped right there and you left the examination. But the first time you give it you can't do that. You need to collect information on the entire universe that is your pool of potential firefighters.

All City residents who were 18 years of age who have passed the written test are the only people we can hire from, and we need to obtain scores on all those people when we give this test the first time, so when they come in in late April and take the events they will go through each one of them, even though after they finish the over-all test and we have all the data they may find they were below minimum passing score on a certain event and they fail the test. We just can't announce that in advance this year.

Mr. Wagner:

Okay, but what you are telling me, with this new proposed procedure, is that you do not have the data yet to determine whether or not this testing procedure is a valid procedure. The data is in on the 1978 test. We know it is a good one because we hired good people as a result of it, and the point I have made from the start, and I'm going to continue to make it, is by us deviating from that past test we are subjecting ourselves to hiring people that do not

have the qualifications for the position and, consequently, we are subjecting the public to a greater hazard if they are involved in a fire because we are not providing, potentially providing, the qualified people to rescue them, and there is no need to change this test, basically, is what I am saying.

Director Smith:

Yes, there is.

Mr. Wagner:

There is no need to change this test because it is a valid one, and we know it hired good people, and we are changing it not knowing if this test is a good test.

Director Smith:

Mr. Wagner, employers all across the country are having their good tests thrown out by courts and they are paying.

Mr. Wagner:

You just agreed with me it was a good test, the '78 test.

Director Smith:

No, you are saying if people hired from it are good it means the test is good. That is not our burden of proof in court. In court our burden of proof is, is the test job-related, is it valid, and does it have an unfair adverse impact against protected members under the Civil Rights Act.

Women, small people, it could even be a religious group, but if the test has an adverse impact against one of those protected groups, and it is possible to give a good, fair, job-related test, that doesn't have that unfair impact, the employer is obligated to do it.

Mr. Wagner:

The criteria here is toally out of balance. The criteria is whether women can be rescued, whether men can be rescued; it is not who we are hiring, it is whether or not we can save the public.

Director Smith:

I agree it is the important point. I think this test will screen out people who cannot satisfactorily perform that job. I appreciate that you don't share that opinion, but I think once these cut-offs are established and minimum passing scores are established, and people are ranked on the list, I am confident we are going to hire very capable firefighters.

Mr. Wagner:

I disagree with you. Your test is an inferior test compared to the past. That's all I have to say.

(END - MR. WAGNER'S REMARKS ON BILL NO. 504 - WEDNESDAY, 4/4/84)

(BEGINNING - MR. WAGNER'S REMARKS ON BILL NO. 504, - WEDNESDAY, 4/11/84)

Mr. Wagner:

A Couple of questions. I know Mr. Bingler referred somewhat to this, Mr. Lewis, Ms. Smith, etc. Can you teach physical requirements?

Chief Lewis:

As far as I am concerned, you can teach techniques.

Mr. Bingler:

If you establish a minimum and

work up from there, you obviously can. You can't obviously teach a two-year old child to carry a 150-pound person, but I think you can take any average 120-pound woman or 100-pound woman and teach it to carry a 150-pound man, maybe even a 200-pound man, and I think Chuck Noll would agree with me. He's got guys doing weight training all the time.

Mr. Wagner:

So then what you're saying is that it's appropriate for the procedure of this City to hire people that are not physically qualified but at the same time take the risk of training them and hope that they will become physically qualified.

Mr. Bingler:

No, we're testing for trainability and we rank on the test according to trainability. The people that rank at the top will be the most trainable for a firefighter class and if you are picking up 20 and I'm not sure how many took the test or frankly how many people have passed it, but I know it's in excess of 1,000, we're going to test a couple thousand people. If we're going to pick up 20, we're going to pick up the top 20 of those people to go into the training class.

Mr. Wagner:

That can be trained. My question is, can you teach people physical strength? How do you teach a person to lift 150 pounds if they can only lift 50 pounds? What procedures does this City have to teach that, that are mandatory with an individual that works for the City?

Mr. Bingler:

I think what they do is, if you can't do the required tasks by the time you finish the training academy, you don't get on the fire department.

Mr. Wagner:

Mr. Bingler, this is not the military. In the military you must qualify, or you will not move onto another position. If you can't swim the eight miles, you will not be part of that swimming team.

Mr. Bingler:

That's right.

Mr. Wagner:

The guidelines in this City are not that tough and when a person is hired, there is no indication from past record that we have terminated people due to inadequate abilities to perform physical functions of this position.

What I'm saying is, it is being suggested that those that are not physically qualified can be hired and can then become physically qualified for the job. That is not the case. There's a tremendous inconsistency here as to what the person should be doing and what they are capable of doing when hired.

Mr. Bingler:

The fact that nobody hasn't or one person didn't get through the training academy - when you're picking from the tip of the list that has several thousand people on it, when you are using a physical fitness test to screen them in, it establishes a minimum that also ranks them, it strikes me that if you put the top twenty in that class, you're not very likely to lose anybody because the top

twenty are going to be the people that came into the program the most physically fit. This test is to establish minimum non-discriminatory standards of trainability; that's all.

Mr. Wagner:

Do you know specifically what this test asks for?

Mr. Bingler:

I know the test; I've watched the T.V. film.

Mr. Wagner:

Okay. You know that the first portion of it is a simple flexibility; touching the floor and then touching the wall in the back.

Mr. Bingler:

It's simple but you have to do 18 of them in 30 seconds bending one way and bending the other way.

Mr. Wagner:

Do you know if the second portion of the test, the dummy drag, has a rope behind it? It has a bull rope behind it on the back.

Mr. Bingler:

Like a shirt collar.

Mr. Wagner:

Okay, do you know the third portion of the test where you hit a tire on a table, a smooth table, very, very easy physical thing.

Mr. Bingler:

You time the length of time that it takes to do that.

Mr. Wagner:

Right, an eight-pound hammer. The fourth portion of the test is an ascend and descend 15 feet on a ladder.

Mr. Bingler:

Also, a time test.

Mr. Wagner:

Walk up and down the test.

Mr. Bingler:

It's a time test.

Mr. Wagner:

It says to do it at a nice pace. The hose carry, you don't even have to pick the hose up, it's on a shelf and you simply put it on your shoulder. Then you walk up a few steps and you come back down and you put it back on the shelf.

There's no doubt in my mind, given a month, every human being in this room, could pass this test.

Mr. Bingler:

I think that's probably correct.

Chief Lewis:

And they would probably come out in rank too, and the ones most able to do those tests best, are going to be the people that are most trainable physically to perform the Fire Department's array of functions.

(MR. STONE COMMENTS)

Mr. Wagner:

I don't think so. I think the portion about the physical exam has not been discussed enough. As a matter of fact, if this Council would have never requested it, we would never have known anything about it.

(MR. STONE COMMENTS)

Mr. Wagner:

I'm just trying to bring these out. I want to make the point loud and clear: There's not an individual in this room that cannot pass this physical test given a month to prepare for it. But every individual in this room is not qualified to be a firefighter and to rescue people from buildings and that includes myself. So what we're saying initially is, yes, these people here, everyone here, will be on the list and potentially be hired and after being hired, if they are hired, we'll determine later if they are qualifed and it's not proven to me that this City has the criteria for evaluation after hiring, to terminate and to weed out those that are not qualifed and we cannot train physical capabilities into human beings. There have been some inconsistencies in our discussion over the last week. Number One, this Council was under the impression —

(MR. STONE COMMENTS)

Mr. Wagner:

A vote on this?

(MR. STONE COMMENTS)

Mr. Wagner:

No.

(MR. STONE COMMENTS)

Mr. Wagner:

No, no. My points are of tremendous importance prior to the vote.

There have been inconsistencies within the last week pertaining to this topic. Number one, this Council was under the impression that the past test was proven to be invalid in court. We have learned that that is not the case; is that correct?

Director Smith:

Yes, but —

Mr. Wagner:

Okay, we know that now. We did not know that a week ago.

I was just informed of another item. We talked about the sandbag carry before. Firefighters that are here today that were part of the 1972, 1974, 1975, 1978 physical examination, were told that the sandbag was a victim. When you finish the course, you were told to lay the bag down rather than drop it, simulating a victim. They were told that by those administering the test. It was said here earlier that it was never in any way inferred upon as being a victim. That's factual.

The last item I want to touch on briefly is, we have talked about preparing people to take the physical examination and how necessary it is to properly prepare them so that each and every person can equally qualify as an applicant and hopefully pass the test. What procedures were taken with the past test to try to educate the public, and we're talking about certain protected groups of people, minorities, women, to educate them to the procedures of the past test so that they would better be prepared while taking that test, such as,

what is being done today right now on cable T.V. as was scheduled, that test is being shown in the City and will continue to be shown over T.V. The applicants know the testing procedures and there's a description as to what physical exercises each applicant should go through to qualify and to do well on the test. What was done with the past test?

Director Smith:

What's been added this year is the cable coverage to give people a live demonstration of the events. In the past we have sent out a description of the events as we did again this year.

Mr. Wagner:

So you would agree that the applicants in the past had the opportunity to be better prepared to pass the 1978 test than the test being proposed today.

Director Smith:

No, in both cases we have sent out, and we did in 1978 also, we have sent out a description of the events to the candidates in advance of the test. What's new this year is that we're also utilizing the cable facilities to give a demonstration of these events over Channel 17.

Mr. Wagner:

I have a copy of both tests. The last test is a very, very simple explanation of that portion of the test. This is also an explanation of a portion of the test and how to prepare for the test.

Director Smith:

Clearly I think this is an improvement.

Mr. Wagner:

Then you're contradicting what you just said. This is an improvement and people can be better prepared to take this test than they were for this past test; is that correct?

Director Smith:

That gives a description of the events. What it didn't do was recommend things that they do ahead of time and there was no cablecast. We're always attempting to improve our affirmative action recruitment and our ability to get people prepared for examinations. That's part of our affirmative action plan.

Mr. Wagner:

Which leads me to my next point. With the past test, if the same efforts were taken by this City to educate the applicants to be prepared to take the examination, do you think there would have been a greater potential for those applicants to pass the test that are considered to be protected minorities or women?

Director Smith:

That's possible. I would assume that would be true.

Mr. Wagner:

Okay, why did we not, under the present proposed tests, attempt to better educate and prepare those applicants rather than just changing the test?

Director Smith:

Because the test is not a defensible test.

Mr. Wagner:

That's not a proven fact yet.

Director Smith:

There are three kinds of validation under the guidelines. Construct validation is what the 1978 firefighter test was. It's the most difficult to prove. The San Francisco police test was a construct validation test which was similar to the firefighter test in San Franciso. It has been thrown out of the courts and the reason is because the kind of relationship that needed to be demonstrated could not be proved with that examination. It did not meet the requirements of the selection guidelines and our 1978 test was the same kind of a test.

Mr. Wagner:

But what led to that conclusion was the fact that you indicated earlier which was that certain protected groups of people did not pass the test.

Director Smith:

I don't understnad what the question is.

Mr. Wagner:

Because certain protected groups of people did not pass the 1978 test, it was determined that that test was not a valid test.

Director Smith:

I haven't said that. What I've said is that test has an adverse impact. The test, a very close form, the same kind of test, a construct validation test, has been thrown out of court and it was a test developed by the very same person and I think we have recognized that we would be running an enormous liability to use a test that is not going to be defensible if challenged and we have given the test — and the thing that makes it even worse is that the prior test did have considerable adverse impact contrary to the amount permitted by the guidelines and for use to continue using that examination, I feel would be foolish and run a terrific liability for the City.

Mr. Wagner:

A few last points.

(MR. STONE COMMENTS)

Mr. Wagner:

The past test has not been successfully challenged in court. It's a clear indication to me that the necessary efforts have not been taken by this City to educate the applicants in the past with the past test, which further leads me to the point that I think if we did take the same efforts, certain protected groups that you're so concerned about and the policies of this Administration are so concerned about, could pass the test, if given the opportunity to know what the test is all about , how to train for that test and to view it on T.V. as we did the other day.

I would like to amend this bill, Mr. President. I make a motion for an amendment.

(MR. STONE COMMENTS)

Mr. Wagner:

That firefighter candidates will be administered the 1978 Firefighters Performance Examination as indicated in Exhibit A.

I vote yes and I'd like to say that this Council must take the position. I

don't care what position has been taken by the Civil Service Commission or has been mandated by state government. To speak out about the truth and what reality is and we know that there is not a person at this table that has said the past test was a better test and we should be sending a message to this Administration to challenge it, I vote yes.

(MR. STONE COMMENTS)

Mr. Wagner:

Could I make a quick comment, Mr. Stone? On the original bill.

Again I appeal to my colleagues. If we cannot have an impact in changing the test, this Council should not allocate the dollars to administer an inferior test.

(END - MR. WAGNER'S REMARKS ON BILL NO. 504 - 4/11/84)

Mr. Woods:

I vote aye and on Bill 504 I would like to commend Councilman Wagner for all the research and for spreading some light on this issue. The reason I'm voting in favor of this bill is because I honestly believe it's an entrance exam, it's not a qualified fireman. The final test is when they come out of that Academy.

The Chair:

I vote aye and on Bill 504 I would like to make the following comments.

The bill does not address the test; the bill merely addresses the question of whether we appropriate monies for a test.

Relative to the test, this falls within the province of our Personnel Department and Civil Service. Neither this Council nor the Mayor has any right to determine that test and Personnel and the Civil Service Department bases that test purely on wheter or not it given on a non-discriminatory basis.

Relative to the past test and this test, if I had my choice, my test would be stronger than either of them. Relative to the two tests, neither of them tests an ability to carry a person and from the information that was given to me at least, it was my understanding that the sandbag was not picked up, even though there has been a statement that that, for many times, was picked up. It was my understanding from Melanie Smith; it was not.

Relative to the first test, my recollection of the statement from Melanie Smith was as follows: The test which was given and tested for police officers was declared illegal. While there was no legal declaration relative to that test as it applies to a fireman, it was my understanding from what Melanie Smith had indicated, that the author of both tests had withdrawn the test relative to firefighters for the reason that, in his opinion, if his test did not stand relative to police, it would not stand relative to firemen.

The last point is, this test is not final; there is merely one matter and that is whether or not the test discriminates on applicants, not whether they, in fact, are in final ability to be a firefighter. There is the training and the school.

With that, I vote yes.

Michelle Madoff:

Excuse me. Mr. Stone, did you say you'd want the test more stringent than the original test?

The Chair:

If I had my way, the test would be different than either of them.

Michelle Madoff:

You don't mean more stringent? You don't mean discriminatory against women?

The Chair:

No.

Michelle Madoff:

I wanted to clarify that.

The Chair:

What I am saying is that as far as the test is concerned, I'm faced with a proposition that in the United States of America, relative to tests, we have a process by which we live and I happen to subscribe to that rule, even sometimes if I don't care for it, and that is that the tests that we administer in the Civil Service capacity by the United States Constitution and the Pennsylvania Constitution, those tests should be non-discriminatory and I abide by that standard.

Michelle Madoff:

Originally, sir, you said that if you had your way, you'd make it even tougher. I didn't think you meant it that way; to be discriminatory.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

AYES 6 NOES 2

(MR. O'MALLEY AND MR. WAGNER VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 581

A Resolution entitled, "Resolution revising Resolution No. 1208, approved December 30, 1983, effective January 1, 1984, as amended, to change appropriation levels for certain code accounts."

Which was read.

Also,

Bill No. 582

A Resolution entitled, "Resolution revising Resolution No. 1209, approved December 30, 1983, effective January 1, 1984, entitled, 'Fixing the Number of Officers and Employees in all Departments for the City of Pittsburgh, and the Rate of Compensation Thereof, and Setting Minimum Levels for Designated Positions' by correcting the rate of compensation to reflect the 1984 salary rates and collective bargaining agreements."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 635

Report of the Committee on Public Works for April 11, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 522

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the purchase and delivery of a computerized sign lettering machine for use in the Painting Division, Department of Public Works; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 523

A Resolution entitled, "Resolution granting unto Regional Industrial Development Corporation, its successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an underground conduit in a portion of the sidewalk of Winthrop Street in the 4th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

Bill No. 636

Report of the Committee on Planning, Housing and Development for April 11,

1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 542

A Resolution entitled, "Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the Administration of City programs and projects and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 544

A Resolution entitled, "Resolution approving a Conditional Use under the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, for a Government Use under Section 993.01(a)A(7) and for substantial improvement of a Special Hazard Use in a Flood Plain District under Section 993.01(a)A(50) for expansion and renovation of the Pittsburgh State Correctional Institution (Western Penitentiary) by the Pennsylvania Bureau of Correction on property zoned "M4" Heavy Industrial District located along the westerly side of New Beaver Avenue between Westhall and Doerr Streets, 27th Ward."

Which was read.

Also,

Bill No. 543

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01(a)A(33) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for authorization to construct a seven-story building containing 60 dwelling units for the elderly with parking provision for 12 automobiles to National Development Corporation on property located on the easterly side of Niagara Street south of Craft Avenue and identified as Lots No'd. 174 and 175, Block 28-P in the Allegheny County Block and Lot System, 4th Ward."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

Bill No. 637

Report of the Committee on Parks and Recreation for April 11, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 532

A Resolution entitled, "Resolution providing for athorization to enter into an agreement or agreements with various contractors for services in conjunction with the 1984 Visual and Performing Arts Program and providing for the payment of the cost which is not to exceed Thirty-Nine Thousand ($39,000.00) Dollars and is chargeable to and payable from Code Account 1838, Index Code 183806, Recreational Activities, Miscellanous Services, in the Department of Parks and Recreation."

Which was read.

Mr. Grabowski:

I'd like to ask Mrs. Masloff one question on 532. Didn't we just introduce a similar bill in the first part of the session here?

Mrs. Masloff:

No, those were in Finance. They were for different services.

Mr. Grabowski:

We discussed it this morning in the Mayor's Conference Room?

Mrs. Masloff:

It's not the same one, Steve.

The Chair:

If it is we can catch it the second time up. Are you talking about something that was introduced this morning?

Mr. Grabowski:

I was just wondering, how many contracts, how often do we enter into agreements?

Mr. Perry:

The one we introduced this morning in the Conference Room was for concerts. This is a little different.

Mr. Grabowski:

This is for Visual and Performing Arts.

Mr. Perry:

Yes.

Mr. Grabowski:

Concerts are not considered performing arts?

Mr. Perry:

These are bands. It's a little different.

Mr. Grabowski:

Okay.

Also,

Bill No. 533

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the Pennsylvania Commonwealth, Department of Education for a grant in connection with the Special Summer Food Service Program Project; providing for the execution of Grant Contracts and for the filing of requisitions and other data; approving the Project; providing for required assurances; providing for

execution of payment vouchers or Letter of Credit and for certification of authorized signatures, and providing for the deposit of the funds in Special Summer Food Service Program account."

Which was read.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Wagner presented

Bill No. 638

Report of the Committee on Engineering and Construction for April 11, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, wtih an affirmative recommendation,

Bill No. 546

A Resolution entitled, "Resolution amending Resolution No. 84, approved February 15, 1982, entitled, 'Providing for a contract or contracts for the repaving of Grant Street from Liberty Avenue to Sixth Avenue and repaving of Liberty Avenue from Tenth Street to Twelfth Street, Phase I, including sewer reconstruction and necessary work on private property and other work incidental thereto; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof', by providing for the payment of the cost thereof from the Grant Street Trust Fund."

Which was read.

Also,

Bill No. 547

A Resolution entitled, "Resolution further amending Resolution No. 1430, approved December 29, 1980, effective January 1, 1981, as amended, entitled, 'Adopting the 1981 Capital Budget and approving the 1981 through 1986 Capital Improvement Program,' by retitling a line item."

Which was read.

Also,

Bill No. 548

A Resolution entitled, "Resolution amending Resolution No. 763, effective August 6, 1983, entitled, 'Providing for a contract or contracts, including the use of existing contracts, for construction in connection with renovations of various roofs; and providing for the payment of the cost thereof,' by increasing the total project allocation by Twenty-Five

Thousand ($25,000.00) Dollars."

Which was read.

Also,

Bill No. 549

A Resolution entitled, "Resolution providing for a contract or contracts for the Demolition and Reconstruction of the Baum Boulevard Bridge over Conrail and the East Busway, including necessary work on private property and other work incidental thereto; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Robinson:

Mr. President, my concern relates to the proposed sale of the Warner Cable system and some questions that I think need to be answered prior to Council taking any action on that proposed sale.

As Council is aware, we did receive a letter from Mr. Drew Lewis who is the President, or I should say, Chairman of the Board of Warner Amex, the parent company of Warner Cable of Pittsburgh.

I would like the City Clerk to send a letter to our City Solicitor, Mr. Pellegrini. One, I would like Mr. Pellegrini, if he will be kind enough, to identify for this Council pursuant to our Cable Ordinance under what circumstances the City of Pittsburgh is to be notified of a proposed sale. I'm proceeding on the assumption that Mr. Lewis' letter to us was for information purposes only and was in no way notification of the sale of the system. But I would like Mr. Pellegrini to clarify that for us pursuant to the ordinance itself.

Also, I'd like Mr. Pellegrini to instruct Council as to what limits there are on our ability to impose conditions of sale of our cable system. Also, if he would be kind enough to identify the exact time schedule for Council and the Mayor to take action if and when we are officially notified and legally notified that Warner Cable of Pittsburgh intends to sell the franchise; also, the role that our Cable Advisory Committee is legally permitted to play in the sale or transfer of the system and what role they will play in evaluating any proposed documents relative to the rationale for the potention sale or transfer of that system.

I believe that we should also

forward a copy of the communication to Brother Richard Emenecker who is the Director of our Cable Bureau because I'm sure some of the questions of Brother Emenecker would be working with Mr. Pellegrini in getting some answers.

I think this approach will help Council better understand what our obligations are and what role we, the Mayor, and the Cable Advisory Committee, play in the official process, if it is initiated, to transfer the system. I think Mr. Lewis' letter to Council and to the Mayor has triggered a lot of speculation and has triggered a lot of activity certainly on the part of the share holders within Warner Cable of Pittsburgh and also, I think, has raised some speculation as to whether or not City government would be amenable to the proposal outlined in Mr. Lewis' letter.

Again, I'd like to emphasize that I do not in any way consider the letter from the Chairman of the Board of Warner Amex, Mr. Drew Lewis, to be any kind of notification to the City of Pittsburgh of Warner Amex's intention of selling their franchise here in the City of Pittsburgh. I simply consider that letter as a communication from Mr. Lewis to the Mayor and members of Council.

The Chair:

At the expense of being repetitive, I think we came up with this on some other issue. We do not have any legislation pending before Council and that would be the first thing that is necessary.

Michelle Madoff:

I have a communication in my office that three months ago the firefighters requested help in solving a problem of asbestos that's at Engine Company No. 36 on the North Side and Engine Company No. 20 in Hays. This is a very serious problem and I'd like to see that something happens. Would you address that and make sure that it's expedited, put on a priority list? Asbestos particles do not dissolve in the lungs; on workmen's comp we are self-insured.

Mr. O'Malley:

I think that should be addressed to Lands and Buildings.

Michelle Madoff:

True but I don't know who else — I'll be happy to handle it myself if you don't mind; I don't care.

The firefighters also would like, they would be amenable to having a free membership at the Y so that they could exercise and keep in shape. It appears that their area for exercise has been curtailed; they don't have the space. Some of them are paying their own way now to go to the Y, very few of them. And I think this would encourage them if we paid. Would you look into it further, Councilman O'Malley?

Mr. O'Malley:

If you remember, Michelle, we allocated $12,000 for a study in just the last few weeks at the University of Pittsburgh to do a study about an ongoing physical fitness for both police, fire and EMS.

Michelle Madoff:

Alright. But one of the things I'd like you to consider and pass on to the people doing this study, that one option might be to pay for them going to the Y to exercise.

Mr. O'Malley:

That's one of the options they're looking into.

Michelle Madoff:

Alright. And the asbestos one has me very concerned.

Those are the two on Public Safetv. There's another one.

I'm very, very concerned, and I'm sorry that the rest of Council isn't here. What are we doing about replacing Mr. Eddie Albert's position? Have we got applications? Have we got a job description? I don't want to wait until the point comes along and we sav, "Well, we reallv don't need that kind of input."

Now, Mr. Woods and myself and all others of Council who would like to come along are invited to go to Baltimore; they're starting their budget hearing to see what they're doing with their fiscal analyst as opposed to a fiscal advisor in house.

At some point we have to address this. I don't want to end up at the end of the year saying, "Well, we don't really need this.", and relying more and more on the Administration for input.

Mr. Woods:

If I may, Mr. President. Concerning Mr. Albert, he is not retired; he is simply on a disability leave of absence.

Michelle Madoff:

For 26 weeks?

Mr. Woods:

We don't know if he's going to be gone for one day, for two more weeks, or for 26 weeks. We don't know. If he's automatically saying he's gone for 26 weeks, then he's in violation of some kind of law; he's taking a retirement at 2/3 pay. That's why I hate to say that. He is off on sick leave.

Michelle Madoff:

The man is ill; he's been ill for some time. He could have been off on sick leave for a year, justifiably. He has severe damage to his heart and he can't work.

The Chair:

Michelle, I don't think that's the point.

Michelle Madoff:

But the point is —

Mr. Woods:

He is off on sick leave; he is not retired. Until we have a letter of retirement, there's nothing we can do with that position. He is still legally employed by the City of Pittsburgh.

Michelle Madoff:

Excuse me, Mr. Woods. I spoke to Mr. Stone about this. I'm concerned that we don't let it go and Mr. Stone said he was going to look into it. My thought was to hire somebody with the understanding that if Mr. Albert came back, he or she just lost their job. We cannot wait 26 weeks and not have someone address it. That's half a year; what's happening in our budget when we get to it. If you think we've been railroaded before, when we get down to the vote on our budget we're not going to have any meaningful input. Remember, you heard it here first.

The Chair:

I just want to amplify for a moment on what Mr. Woods has said. The letter that we have received indicates that he is on a disability. Second, it indicates that he has up until 26 weeks to decide and the converse is accurate; it could be one dav, two days, one week, two weeks. With that in mind, it's created a bit of a problem for us. Fortunately, it's during the summer period that we don't have that big a demand.

Mr. Woods:

If I could also add, he has an assistant that's been doing a lot of work and has right now assumed all that responsibility.

Michelle Madoff:

That's exactly what I was worried about. Who is the assistant?

Mr. Woods:

Al D'Alessandro.

Michelle Madoff:

That's right. That's exactly what I'm concerned about. Mr. D'Alessandro is not qualified to have that job. He's doing a good job as an assistant. That is too big a job; he doësn't have the qualifications for that position.

Mr. Woods:

What are the qualification?

Michelle Madoff:

Do you have a job description?

The Chair:

I don't know that we ought to go into that at this moment.

Michelle Madoff:

I have a job description and it's provided by Mr. Albert; it does not qualify Mr. D'Alessandro. I don't want it to be a political appointment.

Mr. Wagner:

What is the status of the Workmen's Compensation Committee? To assist the Administration in the evaluation of the Workmen's Compensation Program.

The Chair:

I am faced with the problem as follows. It seems to me almost everyone here has asked to do that and it would appear to me that that belongs basically within the Finance Department. If everyone wants to be there then we'll call everybody there. I have the decision to make who is to be there. If it's to be everybody, I want to know it's everybody. It seems like everybody wants to and the question is, do all of you want to be there at one time?

Michelle Madoff:

Yes.

Mr. O'Malley:

Be where?

The Chair:

To review workmen's comp consultants, potential.

Mr. O'Malley:

Okay. Back to the disability, you said it's indicated that Mr. Albert has the determining factor whether he's going to be off 26 weeks or not. Since when do we give the employees the right to decide if they're going to be off 26 weeks. I thought we had a committee and a doctor's examination for that.

The Chair:

I don't think in fairness that's what he meant. He says he has up to 26 weeks to do that and he's correct. After that, it depends on his health as to whether he can come back earlier or extend to the 26 weeks.

Mr. O'Malley:

He has up to 26 weeks of what?

The Chair:

Disability.

Mr. O'Malley:

He has up to 26 weeks of sick pay. Right, Mike?

Mr. Perry:

That's right. Twenty-six weeks —

Mr. O'Malley:

Of back sick leave.

Mr Perry:

It's not called sick leave. He's under the new plan. He's entitled to 26 weeks —

Mr. O'Malley:

Who determines whether an employee goes on —

The Chair:

There's a committee that passes on that.

Mr. O'Malley:

May I finish please? An employee cannot just go on disability.

The Chair:

You're correct.

Mr. O'Malley:

Well who determined whether Mr. Albert was qualified to go on disability or not?

The Chair:

There's a committee that must pass on that. I don't know if they have yet or not; we're trying to find out about that. I told Mr. Albert he may have that —

Mr. O'Malley:

Indeed it must be work related. I'm not so sure a heart condition —

Michelle Madoff:

In this job? I'm going to have one myself and it's going to be job related.

Mr. Perry:

Excuse me. It doesn't have to be job related.

Mr. O'Malley:

It doesn't have to be job related? Any disability other than if you get hurt cutting in the grass you get 26 weeks of

this?

Will you check and see if it has been passed on by our Board?

The Chair:

There is a committee that passes on it. To my knowledge, they have not yet passed. Whether they have done it in the last week, I'm not sure.

Michelle Madoff:

Mr. Stone, you did say you were going to look into hiring someone, or the possibility, with the understanding that that person would understand it was not a permanent job.

The Chair:

No, no.

Michelle Madoff:

We can't let the place go for 26 weeks without someone there.

The Chair:

Michelle, I'm faced with the realistic fact —

Michelle Madoff:

Of letting Mr. Al D'Alessandro have the job.

The Chair:

— With the fact that Mr. Albert could come back in a week or two. As I indicated, as far as I see it, and Mr. Woods will have to determine that now, fortunately it might be that during this summer period when the heaviness is not there that it's time to call our second man into motion.

Mr. Wagner:

Mr. Stone, due to the seriousness of the workmen's compensation problem in the City of Pittsburgh where the estimated losses are $14 million a year, I think it is to the benefit of all Councilmembers and the Committees they represent, to know what is happening in the proposals within the Administration.

The Chair:

I will open up that to everyone who wants to go but I want to tell everyone here that that, as I am told now, will involve something like an hour per and it's my understanding there are to be roughly five. So, it could be a five hour situation. I'll let you know as soon as I find the exact time of it.

Michelle Madoff:

Mr. Stone, you haven't addressed the problem of Mr. Albert. We just talked about it but we haven't come up with a decision. Are we going to let the 26 weeks go without putting someone into that office, that's half a year, and then come back and go into budget hearings having an aide who is not qualified, in my estimation, and I think some other members of this Council would concur, based on Mr. Albert's giving us a letter which states the job qualifications that are necessary for that position.

The Chair:

Michelle, I'm faced with a letter and I have to take the letter for what it says. I can't deny that individual his rights and, fortunately or unfortunately, we're stuck with the content of the letter.

Michelle Madoff:

You're telling me that we can't go out, if this Council votes, to find money to put on someone else so that we're not caught short at budget time?

The Chair:

If some need develops, we may have to be —

Michelle Madoff:

Who is to determine that need? Right now it's a political appointment. I don't think that is correct.

The Chair:

Well, he's there and he is, whether you like him or whether you don't, he is still —

Michelle Madoff:

I think he's a lovely, charming, qualified man in his job. But he's not qualified to step into the shoes of Mr. Eddie Albert who really is probably the best employee we've had in this City.

The Chair:

There's no better way to test him than to let him fly on his own.

Michelle Madoff:

And accept the data that he gives us and have no basis on whether to judge whether it correct or not because we have no ongoing fiscal analyst of our own.

The Chair:

I won't pre-judge him either.

Mr. Woods moved to excuse Mr. Givens for absence from the meeting.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Woods moved to approve the Minutes from Monday, March 27, 1984 and Monday, April 2, 1984.

Mr. Wagner seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Woods**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, April 23, 1984 No. 17

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, April 23, 1984

PRESENT:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

ABSENT:

Mr. Givens

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Robinson:

Mr. President and Members of Council, it's a distinguished pleasure and honor to present this resolution today, No. 323.

With us today is the Reverend Boyd Rogers who is the Pastor of Calvary Baptist Church here in our City, in the Hill District, a gentleman who, himself, is very distinguished. In both 1983 and 1982, several community groups identified him as the Pastor of the Year for Western Pennsylvania. I think we are honored to have Revered Rogers in our community.

If Reverend Rogers would come forward, I'd like to present him with this resolution, not in honor of himself even though he is most worth, but this resolution is given in honor of a gentleman who will be in our City on the 28th of this month, Reverend Doctor J.H. Jackson, who is one of the outstanding ministers in this country and has been for a long period of time.

Mr. Robinson presents

Bill No. 658 WHEREAS, Doctor J.H. Jackson, Pastor of the Olivet Baptist Church of Chicago, Illinois has served congregations in the State of Mississippi, the State of Nebraska, the State of Illinois and the State Pennsylvania; and

WHEREAS, Doctor Jackson has ministered at Olivet Baptist Church of Chicago, Illinois since nineteen hundred

and forty one; and

WHEREAS, his distinguished career has been punctuated with academic degrees from Jackson State College in Jackson, Mississippi, Creghton University in Omaha, Nebraska, Colgate/Rochester Divinity School, Rochester, New York, and has been honored by numerous universities and colleges; and

WHEREAS, Doctor J.H. Jackson served six years as Secretary of the foreign Mission Board and twenty eight years as President of the National Baptist Convention U.S.A., Incorporated; and authored seven books and numerous articles; and

WHEREAS, on April 28, 1984, the Reverend Doctor J.H. Jackson will grace our City as the guest of the Calvary Baptist Church of Pittsburgh in celebration of their first Annual Banquet.

NOW THEREFORE,

BE IT RESOLVED, that the Mayor and Council of the City of Pittsburgh does welcome Reverend Doctor J.H. Jackson to the City of Pittsburgh.

BE IT FURTHER RESOLVED, that the Mayor and Council does honor and give recognition to the works and accomplishments of Reverend J. H. Jackson.

Mr. Robinson moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Robinson:

Thank you Mr. President and members of Council. As I mentioned earlier, Reverend Rogers is with us today, a distinguished Pastor and community activist, a young man who has done much in our City to improve it and I'm very honored that he has come today to accept this resolution. Reverend Rogers has a few words for us.

Reverend Rogers:

Mr. President and Council, we are certainly delighted for this most wonderful privilege to stand today in your presence and accept this on behalf of Dr. J.H. Jackson, one of America's great preachers, great leaders, and it befalls our hand today to have him come to our most wonderful City and grace the pulpit of the historical Calvary Baptist Church where I am the Pastor. On the 28th at 6:00, Councilman Robinson, hopefully, will be there to make this presentation to him personally. I am just today accepting on his behalf.

We're so grateful that you would take the time and give us this privilege today. Thank you so very much.

Mr. Robinson:

We have two gold seal copies of the resolution for Reverend Rogers, one for Calvary Baptist Church and one for Reverend Jackson to take back to Chicago.

With the approval of the President of Council, I will make a formal presentation this Saturday at the banquet which will be held at Judy's Banquet Hall in the East Hills area of our City. It will be an honor and a privilege.

The Chair:

Reverend Rogers, it's been nice having you.

Mr. Robinson:

Mr. President and members of Council, the second resolution deals specifically with an issue that I have brought before Council before and that is the issue of development in the Hill District, the Third and Fifth Wards of the City of Pittsburgh and that area surrounding the Civic Arena.

This resolution is intended to express Council's support for the development of a comprehensive plan and our attempts to bring together both the private and public sector in developing that community.

As Chairman of Planning, Housing and Development, I have been trying to follow the developments in that area for some time and it seems to me that we need to express our concern along with the Mayor of support for development in that area.

Mr. Robinson presents

Bill No. 659 WHEREAS, The City of Pittsburgh, through its Mayor and Council, has demonstrated its commitment to the development of all communities both physically and economicallv; and

WHEREAS, the development of the Hill District, 3rd and 5th Wards of the City of Pittsburgh, is most desired and an integral part of the overall development of Renaissance II and the social, political and economic fabric of Pittsburgh; and

WHEREAS, the City of Pittsburgh, through its Mayor and Council, supports and encourages cooperative development efforts between the public and private sectors of the economy.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council, City of Pittsburgh, will encourage and support the development of a comprehensive plan for the Hill District, not in consistent with applicable laws, and in conjunction and cooperation with the Hill District Project Area Committee.

BE IT FURTHER RESOLVED that the Mayor and the Council ~~shall~~ should not approve any development plans, zoning changes, conditional use requests or transfers of land which might impair a comprehensive plan until such time that Council and the Mayor establish that a development plan and process has been approved and is in the process of implementation.

Mr. O'Malley:

Question. Is there time limit, Bill, when you expect the development plan to be established? Is there a commission set up that's going to deliver a development plan to this Council and to the Administration? Is there a time table set up for that?

Mr. Robinson:

It's my understanding that the Chairman of the Urban Redevelopment Authority, Mr. John Robin, had requested that the Mayor establish a task force to carry out the implementation of an overall development approach in the Hill District. Presently, there is not an overall comprehensive plan for that area. There are two certified redevelopment areas in the Hill that have been certified for development. There has been developed a set of guidelines. Those guidelines spell out specifically the conditions under which development should occur in the Hill. It's my understanding that the Project Area Committee which commissions this

study of which the guidelines are a product, would like the guidelines to be accepted as the development plan for the Hill District. It seems to me that their concern is well taken, is well founded. I think a comprehensive plan must be approved by Council and the Mayor and that the effort on the part of the Administration to put together a task force deserve the full support of this Council.

I don't believe that we can have one area in our Citv so adjacent to our Downtown area not developed as the Hill District. The North Side, the South Side of Downtown are being developed and in all instances, there have been comprehensive plans and a comprehensive approach, public and private sector. There is not a comprehensive plan for the Hill District and there is not public and private cooperation in that community. I would anticipate that the Mayor, in putting together the task force, would ask members of this Council to serve. I also anticipate that he would ask people in the corporate community to serve.

My purpose here is to one, assure that there is a comprehensive plan; two, to assure that the Project Area Committee is involved in the implementation of the plan; and three, to make sure that whatever private sector resources, whatever corporate sector resources are needed to develop the Hill District, are brought together and that the Mayor and Council give their consent for a cooperative effort.

I think the one thing we do not need is we do not need community groups and organizations working against us and vice versa. We need to work together and I think all the communities in this Citv that have experienced rapid, substantive, positive growth, have done so by bringing together both the private and the public sector.

So, the spirit in which I'm offering this resolution is to bring together both resources that are needed to develop the Hill District.

Mr. O'Malley:

I agree with you. I think a comprehensive overall plan would certainly be worthwhile but the way this reads, I read it that it might impede all development in the Hill District. As you know, there are many worthwhile projects going on in the Third and Fifth Ward on a constant basis, both commercial and in housing. The way I read this resolution, everything will come to a halt. I'm not so sure that's what you intended to do.

Mr. Robinson:

Are you specifically referring to the last paragraph?

Mr. O'Malley:

Yes.

Mr. Robinson:

Okay. My concern is that rather than Council constantly be requested to approve piecemeal development, that we indeed say that until a plan is put together and until we can see a comprehensive approach, that we will not approve any new developments. Now, that does not stop in any way any present development that is going on in the Hill District or anything that we have approved. The resolution is not intended to stop anything that is presently going on.

Mr. O'Malley:

I'm not so sure giving a blanket

coverage like that we are not going to approve anything is the proper way to proceed. I think that the areas that certainly do need development are the Third and Fifth Wards. I think this would impede it more than help it.

I understand what you're saying and I support what you're saying 100 percent; I'm just not so sure that this resolution is the proper way to go about it.

Mr. Robinson:

Let me mention two things. One would be a procedural matter; the other is a comment.

First the comment. I think that this Council probably needs to have before it the development guidelines for consideration. I believe that the development guidelines should be accepted by Council and the Administration as the plan for the Hill District.

I plan to submit legislation next Monday for Council's consideration. That legislation would identify the guidelines, the recently developed guidelines, as the plan to develop the Third and Fifth Ward. Then Council will have an opportunity in Committee to do that.

The other issue relates to your current concerns. Let me offer a suggestion as to how to change this resolution; perhaps it can address your concern and at the same time achieve my purpose in trying to get the Mayor and Council behind some sort of cooperative effort in the Hill District. I would be remiss if I didn't say there is not the public private partnership that needs to exist in the Hill District today for it to develop; it simply is not there and I think without Council and the Mayor adding their weight to the situation, will not be there

Let me read the last paragraph and suggest a change. "Be it further resolved that the Mayor and Council should not approve any development plans, zoning changes, conditional use requests, or transfers of land which might impair a comprehensive plan until such time that Council and the Mayor establish the development plan and process has been approved and is in the process of implementation."

Michelle Madoff:

Mr. Robinson, I think you overlooked one item and that is the Zoning Board. You want to be sure it doesn't get through the Zoning Board and URA which acts as a autonomous body. It has a life of its own, as you know — unfortunate we've discovered that — and I think you might want to be sure that is covered, that those bodies that have a life of their own don't supersede us and they just don't go through the back door which is what's been happening to this Council continuously.

Mr. Robinson:

I understand your concern. I mentioned earlier that as Chairman of Planning, Housing and Development I was offering this resolution. All of the issues of zone change, development plans, transfers of land, have to come through the Planning, Housing and Development Committee. I have said to the Project Area Committee in the Hill and to the URA that as Chairman of this Committee I will not entertain any legislation that relates to development in the Hill until we put together this comprehensive plan, until that task force is established, and until the Mayor and Council bring its weight to bear that everyone who should be cooperating in

the community are cooperating. That's one check.

I think also that for those areas in which the Zoning Commission or the URA or others feel there can appropriately legislate and move forward that they should receive a copy of this resolution if it were to pass so that they are aware of our concerns. Next Monday when I introduce the resolution to accept the guidelines, I'm sure that will trigger a series of events which will allow input from the Mayor's Office, from the Project Area Committee, from developers and others and I see no reason why we shouldn't have a public hearing. I think it's imperative that all the government bodies that are involved in development in the Hill are going in the same direction. We do this on the North Side, we've done this on the South Side, we've done this Downtown. There's no reason why we shouldn't do it in the Hill.

Michelle Madoff:

Bill, I just don't want to digress, I want to stay with the issue. You said that you're introducing something on Monday. What is that that you're introducing? Who prepared it? Was it the person who is the architect of this plan?

The Chair:

Michelle, let's deal only with —

Michelle Madoff:

One is tied to the other. I don't quite understand. What is going to be introduced Monday?

Mr. Robinson:

Approximately two years ago this Council authorized the expenditure of $100,000 for the Project Area Committee in the Hill District to hire consultants —

Michelle Madoff:

Who are they? Is that Mr. Robin as well?

Mr. Robinson:

No. — to put together a set of guidelines for development in the Hill District. Out of that study came a document prepared by Mr. Earl Onque and Mr. Norman Harai who were hired by the Project Area Committee. The document that they produced was submitted to the Urban Redevelopment Authority, to the Planning Commission and to the Project Area Committee. The Project Area Committee voted to accept those guidelines as the plan for the community. The URA and the Planning Commission are still reviewing those guidelines and want to make sure that they're consistent with the two existing redevelopment area plans and consistent with what they believe should occur in the Hill District. I think that once the guidelines are submitted to us for formal acceptance as a plan for the Hill the issues that URA and Planning and the Project Area Committee have can be brought to this Council and we can bring our weight to bear.

What has not occurred is the concensus on development in that community; concensus on comprehensive development. Mr. O'Malley is correct; there is development going on but there's no concensus on comprehensive development. If we don't have comprehensive development, I don't believe that the area around the Civic Arena is going to be developed in the near future. I think we must get the DeBartolo Corporation to work in cooperation and concert with the Project Area Committee, that we must get the

URA, Planning, Council and the Mayor to cooperate and that we must put together a task force of people, some bankers, some lawyers, some community activists, some planners and others who can come to a concensus on development in the Hill District.

Michelle Madoff:

Mr. Robinson, is the concept of your introducing it today to be sure that that will finally happen because it hasn't happened?

Mr. Robinson:

Yes.

Michelle Madoff:

Then may I suggest that in your beginning paragraph, "Whereas, the City of Pittsburgh, through it's Mayor and Council, has demonstrated its commitment to the development of all communities both physically and econonically", that is not true; it's a contradiction in terms. The reason you're introducing it is because while Council has supported you I think almost unanimously, there hasn't been this kind of concern out of the Administration. I realize that you don't want to attack and you're trying to get some harmony but let's have the facts as they are. You wouldn't be introducing this resolution is the Administration had shown the same concern for that community and the Homewood community for that matter. We have another community.

Mr. Robinson:

One point of clarification in that regard. I'm not attempting to bring about cooperation in spite of the facts. I think it would be unfair to say that the Mayor and Council have not been committed to development, both physically and economically, in the Hill. What we have not been committed to is comprehensive development. We have not been committed to that. I think part of the reason that the Mayor is considering a task force is that he recognizes that. The Project Area Committee has not been committed to comprehensive development. They have been committed to development and they have approved development in their area but not comprehensive development.

Michelle Madoff:

Bill, I understand what you're saying but let's get right down to the bottom line. You had a $100,000 study coming in here on Monday and then it's going to have to have a task force to do it, which basically boils down to, if you don't want to do something you study it.

Now, I want to know there's a deadline on when they have to come back with a plan because I think it's time we started to protect that area surrounding Renaissance II and I couldn't agree with you more.

Mr. Robinson:

When the legislation is introduced on Monday it will contain a section that deals specifically with the creation of the task force. It is my understanding that the Mayor wants to have the task force in place by June 1. I have not discussed this matter with the Mayor so I don't know what he is doing relative to the task force but I do plan to put into the legislation a time limit. I think that it's appropriate that we move with that task force no later than June 1.

Mr. Woods moved to approve the motion.

Michelle Madoff seconded the motion.

Mr. Grabowski:

Mr. President, this appears to be a substantial piece of legislation that we're acting on today. I'm just wondering why it's not going through the usual process of the Committee; have it brought up before the Committee on Wednesday and then vote on it finally the next Monday.

The Chair:

He is presently starting with a concensus rather than a mandatory provision. That's what he's after. It's in light with, I think, what has been consitent but needs more comprehensiveness in that particular area. He's centering it more toward the Hill than the lower part and that's why I had indicated to him that I think Mr. O'Malley's suggestion was accurate. Some of that lower part will not adversely affect the top and there's something that started already. To make an absolute not to do anything and when it doesn't impair the potential of the rest might be a little too heavy.

Mr. Grabowski:

Is this a binding resolution?

The Chair:

This is a concensus of Council at this time. When it comes through other than the usual form it's a concensus. It seems consistent with what we've done up to now.

Mr. Robinson:

Originally, Mr. Grabowski, the procedure that I was going to use was to actually submit the guidelines and submit them in a form of legislation so that Council would approve or disapprove. Subsequent to making that decision, I had an opportunity to make a presentation before the URA Board and the Project Area Committee. It seemed to me that both organizations were interested in concensus on development and both organizations were still trying to work out an appropriate relationship between themselves to work on development. In the spirit of trying to bring together those two organizations and trying to bring together some of the concepts in the Mayor's task force approach, it seemed to me that a general resolution expressing the will of Council would be the first initial step prior to submitting any initial legislation that would have to go through the Committee process.

So, that's the reason I took this approach as opposed to simply submitting legislation. I'm looking for concensus and cooperation and trying to create an atmosphere in which the appropriate parties can come together to comprehensively develop that community.

Mr. Woods:

Mr. Robinson, I think you've answered my question. I support it wholeheartedly but I wanted to see a time schedule involved in this but you said you will have that in your legislation.

Mr. Robinson:

Monday.

Mr. Wagner:

Mr. Stone, could you please re-read that?

The Chair:

He's saying in his closing paragraph, "Be it further resolved that the Mayor and Council should not approve" he's changed it from shall to

should, "not approve any development plans, zoning changes, conditional use requests, or transfers of land which might impair a comprehensive plan until such time that Council and the Mayor establish that a development plan and process has been approved and is in the process of implementation."

This now is consistent in the sense that the first one is asking for a comprehensive plan; the second one is saying that while we're doing it we don't want to do anything to impair that overall consideration.

WHICH MOTION PREVAILED.

The Chair presents

Bill No. 660 WHEREAS, the Holy Trinity Serbian Orthodox Church Choir of Pittsburgh, a member choir of the Serbian Singing Federation of America and Canada, and one of its best choral societies, will be holding its annual Spring Concert Weekend on Saturday and Sunday, April 28 - 29, 1984; and

WHEREAS, they will have as their special honored guest, the S.S.S. Mita Topalovich Choir of Joliet, Illinois; and

WHEREAS, they will also be privileged to have as local guest choirs, the S.S.S. Petar Krstich of Steubenville, Ohio, and S.S.S. Dr. Lazo Kostich of Midland, Pennsylvania.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and Members of the City Council of Pittsburgh do hereby:

1. Congratulate the Holy Trinity Serbian Orthodox Church Choir on their choral accomplishments and their forthcoming annual Spring Concert Weekend; and

2. Welcomes the S.S.S. Petar Krstich, and S.S.S. Dr. Lazo Kostich Choir; especially the special honored guest choir S.S.S. Mita Topalovich Choir of Joliet, Illinois to our City; and

3. Extends our sincere and best wishes for a most successful and memorable concert weekend for all concerned - in Pittsburgh.

Michelle Madoff moved to adopt the resolution.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. Grabowski for Mr. Givens presented

No. 640 Resolution providing for an Agreement or Agreements with Michael Trugan, Consultant, for technical services in connection with the purchase of new or used heavy equipment, repairs to heavy equipment, inspection of heavy equipment, etc., at a cost not to exceed $3,000.00 chargeable to and payable from Code Account No. 1502, Misc. Services, Index Code 150201.

Which was read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 641 Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the purchase and delivery of Exhaust Analysis Systems for the Dept. of General Services, at a cost not to exceed $20,000.00 chargeable to and payable from Code Account 4-30-01-0001-83, Index Code 370056, Misc. Equipment, City Departments, Dept. of General Services.

Also,

No. 642 An Ordinance supplementing the Pittsburgh Code, Title One - Procedures, Chapter 161, "Contracts" by adding Section 161.20, "Fuel Purchases".

Which were read and referred to the Committee on General Services.

Mr. Robinson presented

No. 643 Resolution authorizing the Mayor, Director of Public Works and the Superintendent of the Bureau of Cable Communications to analyze the fiscal status of the Warner Cable Corporation of Pittsburgh and to file a report with City Council within thirty days of completion of the analysis. — **(SPONSORED BY MR. ROBINSON)**

Which was read and referred to the Committee on Public Works.

Also,

No. 644 Resolution authorizing and directing the Dept. of City Planning and the Urban Redevelopment Authority to prepare and present to City Council the Minority Business and Women's Business Development Plans for the Allegheny International/Stanley Theatre Project. —**(SPONSORED BY MR. ROBINSON)**

Also,

No. 645 Resolution providing for the filing of an application by the City of Pittsburgh and its Historic Review Commission with the Commonwealth of Pennsylvania, Bureau of Historic Preservation for a $11,350 grant in connection with the Certified Local Government Program; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Historic Review Commission Certified Local Government Program Grant Project; providing for assurances providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and for providing for the deposit of the funds in a bank account.

Also,

No. 646 Communication from Robert H. Lurcott, Director, Dept. of City Planning, requesting authorization for Michael J. Eannarino to attend a training seminar on local economic development at the Hilton Airport Inn near Greater Pittsburgh Airport on May 9-11, 1984, at a cost not to exceed $130.00 payable from Community Development Block Grant Program, Dept. of City Planning, Administration, Code Account CDPA (Index No. 220608).

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 647 Resolution providing for the issuance of a warrant in favor of Edward Simon and Company, in the amount of $2,492.00 in payment of an Emergency Contract, furnished for the benefit of the City in connection with sound equipment and repairs at Schenely and South Side Ice Skating Rinks, chargeable to and payable from PR 84-11, 4-13-74-0002-84, Major Repairs and Emergencies, Dept. of Engineering and Construction, Index No. 323006.

Which was read and referred to the Committee on Finance.

Also,

No. 648 Petition from the residents of the City of Pittsburgh, requesting a public hearing before City Council concerning a broken sewer in the vicinity of Penelope and Spahrgrove Streets in Mount Washington which was broken by a contractor hired by the City over a year ago and which endangers the health and wellbeing of the surrounding citizens.

Which was read and referred to the Committee on Public Works.

Mr. Woods presented

No. 649 Resolution providing for the issuance of a warrant to Rose Harris, c/o James E. DePasquale, Esquire, 1106 Fifth Avenue, Pgh., PA 15219, in the amount of $1,250.00 in full settlement of a claim for personal injuries, payable from Code Account No. 46, Judgments.

Also,

No. 650 Resolution providing for an Agreement(s) between the City of Pittsburgh alone or with The School District of Pittsburgh and/or with the County of Allegheny and Real Estate Appraiser(s) for professional and consulting services in connection with the City's sale or acquisition of real estate and real estate tax assessment matters involving real estate in the City, at a cost not to exceed $35,000.00 chargeable to and payable from Code Account No. 1075, Misc. Services, Dept. of Law, Index Code 107508.

Also,

No. 651 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, requesting authorization for George R. Whitmer to attend a Board of Directors meeting of the Pennsylvania League of Cities in Lancaster, Pennsylvania on April 26, 1984, at a cost not to exceed $500.00 payable from Code Account No. 1017, Misc. Services, Mayor's Office. Prior approval granted by Council letter dated April 13, 1984.

Also,

No. 652 Communication from Ronald C. Schmeiser, Director, Dept. of Finance, requesting authorization for Henry Sciortino to attend the MFOA Seminar on Public Cash Management in Hershey, Pennsylvania on May 10-11, 1984, at a cost not to exceed $625.00 payable from Code Account No. 1063, Misc. Services, Dept. of Finance, (Index No. 106302).

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 653

Report of the Committee on Finance for April 18, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 567

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of American Society for Microbiology, 1913 I Street N.W. Washington, D.C. 20006, in the amount of $397.00 in payment for Publication and Reprints of an article submitted to said Society by John Kuchta of the Department of Water furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 570

A Resolution entitled, "Resolution providing for the issuance of warrants in favor of Police Officers listed below, in the amount of $27,466.06, in payment for travel and meals incurred while in training; and providing for the payment thereof."

Which was read.

Also,

Bill No. 571

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Burroughs Corporation, P. O. Box 360221-M, Pittsburgh, Pennsylvania 15251, in the amount of $334.00, in payment for services furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

Also,

Bill No. 575

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Guilli Contracting Company, in the amount of Five Thousand Four Hundred ($5,400.00) Dollars, in payment for Extra Work, being in addition to the original contract price of One Hundred Twelve Thousand Nine Hundred Twenty One ($112,921.00) Dollars, on Controller's Contract No. 26478, furnished for the benefit of the City in connection with the Renovation at Friendship Park; and providing for the payment thereof."

Which was read.

Also,
Bill No. 576

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company (Charles A. DiNardo, Vice President), in the amount of Seventy FourThousand Seven Hundred ($74,700.00) Dollars, in payment for Extra Work, being in addition to the original contract price of Three Hundred Ninety Six Thousand Seven Hundred Sixty Five Dollars and Fifty Five Cents ($396,765.55), on Controller's Contract No. 26253, furnished for the benefit of the City in connection with the cleaning, repairing and cement lining of a 42-1/2" main in Baker and Butler Streets; and providing for the payment thereof."

Which was read.

Also,

Bill No. 583

A Resolution entitled, "Resolution authorizing the Mayor to issue and the City Controller to countersign a duplicate warrant to the same payee and in the same amount to replace the following warrant which was lost, stolen or inadvertently destroyed."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 584

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Peat, Marwick, Mitchell and Company, for auditing services in connection with the Municipal Pension Fund, the Policemen's Relief and Pension Fund and the Firemen's Relief and Pension Fund, for the year ending December 31, 1983 and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

Bill No. 654

Report of the Committee on Public Works for April 18, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 288

A Resolution entitled, "Resolution vacating Congress Street from Fifth Avenue to its northwesterly terminus (170±) in the 3rd Ward of the City of Pittsburgh, excepting and reserving easements for the existing water and sewer lines."

Which was read.

Mr. O'Malley:

Mr. President, on Bill 288, Congress Street, I have a letter here, I think it was sent to all members of Council, and it's addressed to the Honorable Richard S. Caliguiri. The letter is from Irwin B. Wedner; he's the attorney for the Downtown Racquet and Athletic Club.

I'd just like to state that again I think there's room for compromise between both parties on this. I talked to our Law Department this morning and they informed me that Mr. Wedner was to ask the court for a stay of Council's order, that this could be tied up in the litigation for years and wouldn't be any benefit at all to the union that was

trying to secure that property for additional parking for the members.

So, there again, I realize we're trying to help the members of this particular union but in the long run we might be hurting them. What I'm saying is that I think it would be wise for this Council to see if both parties could get together and come to some type of compromise as opposed to maybe having this tied up in the court for years and not benefitting anybody.

Mr. Robinson:

I move to recommit.

Michelle Madoff seconded the motion.

Mr. Woods:

Mr. President, I'd like to speak on this. You know, this Racquet Club was given half of this street by the City of Pittsburgh; I don't know what more they want. All you have to do is go another 100 feet to go around the corner to get in their parking lot; they can get in and out. I don't see any problem with members of that club going 100 feet to make a bend to go into a parking lot. They can get in and out of that parking lot with no trouble at all. We gave them half that street and now they don't want to see somebody else get the other half. I think that's totally wrong to even recommit this bill.

Mr. Wagner:

To recommit for how long?

Mr. Robinson:

It goes back to Committee Wednesday.

Michelle Madoff:

Well, the people aren't going to get together between now and Wednesday, are they?

Mr. O'Malley:

Well, no, then you can make a motion to hold it for a week or two weeks.

Michelle Madoff:

I'm a little concerned.

Mr. Wagner:

If we recommit for one week, can we be reassured that the two parties will get together prior to a final vote on this one week from today.

The Chair:

Mr. Wagner, regretfully as I see it, from what I've seen there's no compromise possible. One wants to place cars there; the other wants to go through. They are in contradiction.

We're saying there's two parties; there's actually three parties. To the left is the union, to the right is Kleins which has been there since 1890, I think. It has reached a point where there is really no compromise possible and we're going to have to vote one way or the other and it's not likely it's going to happen —

Michelle Madoff:

I withdraw my second.

The Chair:

As Mr. Woods said, in fairness, if there was no way to get in to this, I frankly would not approve it. I'm

inclined to approve it and likewise oppose any recommittal for the reason that as I see it there's other ways to get in. To the right there's roughly 50 feet; you go up the side and come in. There's the street behind which has no other vehicular traffic but that and to have it enter from 5th Avenue is no assist. There is also an entrance possibility on the left side near Chatham Center. As Mr. Woods has indicated, the other half of this road is owned by the objector. What's good for one should be good for the other. Frankly, that's my contention.

Mr. O'Malley:

Ben, I'm speaking on behalf of you. I'm trying to save this union tens of thousands of dollars in litigation fees and a stay from the court will tie this piece of property up for years which means Council's vote is nullified. They cannot use that street if the court stays Council's order.

What I'm saying is, I disagree. I think there is room there for adequate parking; I think there's room there for 6 or 8 parking places for the union and for the people on the other side and also egress and exit from the parking lot.

The Chair:

The problem is next door. Klein has big vehicles coming in and he has to even back in with a tractor trailer which I think makes it most impossible.

Mr. O'Malley:

I think it would be better to have it shut down while Mr. Klein's tractor trailers are there, maybe for an hour or two, because with the parking for the union with the 6 cars, there's still adequate room for the trailers to come in and out, Mr. Stone.

Mr. Woods:

Mr. President, I'm also interested in the other people on that street. I know what's going to happen and what's happening now. People are double parking, merchants there, their customers have no place to park, just because of the same reason. That's why they requested this street to make a parking lot out of it.

The Chair:

I have a motion to recommit. Who made the second?

Michelle Madoff:

I withdrew my second.

Mr. O'Malley:

I'll second the motion.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Mr. O'Malley	Mr. Wagner
AYES 4	NOES 4

VOTING NO:

Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

And a majority of the votes of

Council not being in the affirmative, the motion was defeated.

The Chair:

On the bill itself. If you're approving it, vote for it, if you're not approving it, vote no. Call the roll.

Michelle Madoff:

May I ask a question? This Council may recall because so many things happen that we forget some things that happen in passing that when we have issues such as this in Zoning, I had requested that we get a photograph of the area. I find it very confusing, I'm sure the public does and most of Council, to retain in my head exactly what that piece of property looks like. When we have Zoning coming before us showing us charts, it's very confusing. It would be very simple to have a Polaroid shot taken of the problem.

I'm confused as to which club this is. Are we talking about 5th Avenue out here where the man took the street and turned it into a parking lot on his own? Is it the other one that we gave somebody a street to turn into a parking lot? Is it a third one?

Mr. O'Malley:

It's a third one they want to turn into a parking lot.

Michelle Madoff:

That's why I don't — I would like to see a photograph of what's happening.

Mr. Woods:

He had that at the public hearing, Michelle. A few weeks ago they had the photograph. We did give half the street to a present parking lot.

Michelle Madoff:

This is the parking lot now and he's going to build a high-rise on that when he gets funded, right?

Mr. Woods:

No. That's not the one. We gave half the street to the Racquet Club for a parking lot. Now they don't want to see the other tenants get half.

Michelle Madoff:

When we gave it to them did we sell it or was it a gift, a grant?

Mr. Woods:

I can't answer that.

Michelle Madoff:

Did they pay for the property or was it an outright "You may have this for a token payment"? I think that's very important. The one we gave to the club, was it an outright gift?

The Chair:

They just vacated the street the same way.

Michelle Madoff:

It's a matter of splitting a street, is that correct? Will the other street that's —

Mr. Perry:

They have to pay $53,000 for this.

Michelle Madoff:

Let me tell you what's in question here. The other street is where I brought to Council's attention the fact that some

entrepreneur has a little tiny parking lot and decided to use a City street as a parking space and has made a fortune on it over the last number of years. We are continually having calls in our office again; he has been told not to do it and he's doing it again. In checking it out, I found out that there a building on the corner that I think sells auto parts. It's leased to somebody who sells auto parts. Under the law it appears that when the street is in question they cannot give half away until both parties agree and each gets half. Did you know that? I checked that with the Law Department. This man wants to buy this street and there would be another street gone. There would be nothing. They'll all be one. He wants to buy the street and they can't sell it to him because he only has the right to buy half; the people on the other side have the right to buy half. So, automatically by law, the union gets the other half.

Mr. Woods:

And they're paying $53,000 for it on top of that.

Michelle Madoff:

That's the law. So there really isn't even a vote. I mean, they have it.

Mr. O'Malley:

No, it has to be approved by this Council.

Michelle Madoff:

But under law they get it so that's the way it is.

Mr. O'Malley:

No they don't. If we don't approve it, they don't get it.

Michelle Madoff:

Then it's illegal to give the other half that we gave to the athletic club. You can't give one without the other. Can you take back half?

Mr. Grabowski:

They own both halves. They only vacated some years ago the top portion of the street. The Racquet Club owned both halves.

Michelle Madoff:

What I'm talking about is taking a street up the middle; half goes this way and half goes that way.

The Chair:

The left hand side is a building to be occupied or it is occupied now by the union. To the right of it is Kleins, if my memory serves me correctly. Those two are the only ones using it with the exception that traffic is going in and out to the Racquet Club parking lot.

Michelle Madoff:

Mr. Stone, do you know from your own knowledge, does the Racquet Club have any parking spaces at all?

The Chair:

Yes. They have the whole back half.

Michelle Madoff:

Well what's the problem? They were designed and they were given the zoning because most of it was walk-in. People are already parked who are Downtown going into the Racquet Club to use the facility. I know somebody who has used it and — well, I won't go into

that — Somebody is here doing business Downtown and crosses over to use the facility. I don't know what the big fight is. What do they need the parking spaces for?

Mr. O'Malley:

The parking space is not for the Racquet Club, Michelle.

Michelle Madoff:

Why would the Racquet Club object to the union having it?

Mr. O'Malley:

Because they need that to get in and out of their parking lot.

Mr. Woods:

No they don't. They have in and out.

Mrs. Masloff:

They do have a way to get in and out; they go half a block.

The Chair:

The Chair is going to open up discussion again and void the vote on this.

Mr. Wagner:

They are paying, several parties here are paying $53,000 for the right to use that street. Is that correct? Now the other party that is using part of the street right now, did they pay a similar fee in the past?

The Chair:

Maybe in a way, indirectly, because what was happening, I think there was an assemblage of property to give in the back area plus what they had on the corner which was the Al Berk place as I recall.

Mr. Wagner:

Do we know how much was paid by the other party?

The Chair:

I think it was an assemblage of land and I don't know how you separate that, frankly. I think what had happened, the street that's blocked here now, it's a dead-end, had it gone straight in the back of the 5th Avenue properties, fronting on that side, the right and the left, which were just lots, were owned by the Racquet Club and then they closed the street so they could have the connection between the two of them. That's the back portion. I can't remember the street behind, parallel with 5th. Does anybody know?

Mrs. Masloff:

Colwell.

The Chair:

Colwell is one street up from 5th.

Mrs. Masloff:

It runs parallel with 5th.

Mr. Wagner:

So, those who are using it right now did not necessarily pay for the right to use that as parking but those who are proposing to use it as parking will pay $53,000?

The Chair:

For the vacation, that's what I

understand.

Let me pass this drawing around. Where you see the yellow part, that's the part to be vacated. Up above it is the part that the Racquet Club got. Over to the right, and these lots are roughly 25, roughly 100 feet to the right, is Elm Street that they can go up and you can also come up by the Chatham Center.

Michelle Madoff:

Excuse me. Elm Street is the street that is now a parking lot, Mr. Stone. The entrepreneur has used Elm Street as his own parking lot.

The Chair:

No, that's McGee, Michelle.

Michelle Madoff:

No, it's Elm.

The Chair:

It's the one up above.

Michelle Madoff:

There's one that we've legitimately given as a parking lot; Elm is the one where the man is using and it is blocked off and there's a fire hydrant there and you cannot get through.

The Chair:

That's McGee.

Michelle Madoff:

Elm is blocked off. I've been there.

The Chair:

I just looked up that thing the other day.

Michelle Madoff:

I've been there. It's blocked off; it goes in a circle. We've been there. We were there with the Police Department. It curves around, there's fire hydrant on it and you can't get through.

Mr. Wagner:

Mr. Chairman, I have another question. Is it possible to repeal this in the future?

The Chair:

You mean once passed?

Mr. Wagner:

Yes. Once passed.

The Chair:

No.

Call the question; call the vote.

Michelle Madoff:

My vote yes means I'm for the vacation.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

AYES 4 NOES 4

VOTING NO:

Mr. Grabowski	Mr. Robinson
Mr. O'Malley	Mr. Wagner

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Also,

Bill No. 564

A Resolution entitled, "Resolution vacating a 20-foot Unnamed Way from Reese Street to a 30-foot Unnamed Way Street, 102.55 feet south of Grandview Avenue in the 19th Ward of the City of Pittsburgh, excepting and reserving an easement for the 8-inch T.C. Sewer Line located therein."

Which was read.

Also,

Bill No. 566

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for Street Lighting Transfers at various locations throughout the City and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 655

Report of the Committee on General Services for April 18, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 572

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts or the use of existing Contracts for the furnishing and delivery of an electric target system for the Department of Police, Code Account No. PRIST (253450), Police Recruit In-Service Training, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the

bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

Bill No. 656

Report of the Committee on Parks and Recreation for April 18, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 569

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Ernest T. Williams Center, for the performance of professional services in connection with their 1984 Baseball Program and transferring the sum of $3,021.00 from Code Account 10, Accounts Payable, Prior Years, to Code Account 1838, Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 657

Report of the Committee on Engineering and Construction for April 18, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 577

A Resolution entitled, "Resolution further amending Resolution No. 851, approved August 12, 1982, effective August 20, 1982, as amended by Resolution No. 574, approved July 14, 1983, effective July 29, 1983, entitled, "Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements with A. M. Richardson

Associates, for Professional Engineering Services in connection with the design or Monroe Street Reconstruction; and providing for the payment of the cost thereof," by increasing the total project allocation by $3,500.00."

Which was read.

Also,

Bill No. 578

A Resolution entitled, "Resolution further amending Resolution No. 201, approved February 26, 1981, as amended by Resolution No. 644, approved July 8, 1981, as amended by Resolution No. 1259, approved December 3, 1981, as amended by Resolution No. 25, approved February 3, 1982, as amended by Resolution 213, approved March 23, 1983, entitled, "Authorizing the City Treasurer on behalf of the City of Pittsburgh to accept funds from the Port Authority of Allegheny County, the Urban Redevelopment Authority, and the Pennsylvania Department of Transportation for Consulting Services in conjunction with the Transportation Coordination for the Central Business District; providing for the creating of a Trust Fund for receipt and payment of the respective shares; and providing for an Agreement or Agreements with the above mentioned parties in connection with the Transportation Coordination of the Central Business District," by increasing the total cost by $127,400.00, and by increasing the City's share by $20,000.00."

Which was read.

Also,

Bill No. 579

A Resolution entitled, "Resolution further amending Resolution No. 1445, approved December 29, 1981, effective January 1, 1982, as amended, entitled 'Resolution adopting and approving the 1982 Capital Budget and the 1982 Community Development Block Grant Program; and approving the 1982 through 1987 Capital Improvement Program,' by redefining the funding sources."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President, I would like to make a motion from the floor to see if we can get five votes to hire one of the attorneys assigned to Council to look into the mechanism as to how Council can use its own staff money to hire outside consultants. As you know, we discussed it with you and we discussed it with Mr. Woods and we were told the

Law Department said we can't do it. Mr. Woods had an unfortunate experience, I've had one and we would like to get that clarified. We would not like to have the opinion of the Administration; that is not a separation of powers and it is a conflict of interest.

The Chair:

I'm at a loss as to where you are going.

Mr. Woods:

Right now we're allocated X amount of dollars for our staff, our own personal staff. If we didn't choose to use all that money, we could take a portion of that, any portion, and hire a consultant and pay him direct without putting him on our payroll. Presently, the Law Department says before we can do that we have to put them on our payroll as an employee. We cannot give them money direct.

The Chair:

We have a line item for that.

Mr. Woods:

No, no. Michelle is proposing that we can do it as an individual Councilperson.

The Chair:

No, Council can do it.

Mr. Woods:

You misunderstand what I'm saying. In other words, right now we allocate $5,000 for professional services and Council votes on it. We hire someone like we did with this Water Authority, the fellow from Harrisburg. Right now, each Councilmember has $35,000 to hire a staff. Say we don't choose to use that $35,000 for our own personal staff but we want to use $4,000 of our own money for a consultant and he just reports to myself. I can't do that under that code account the way it is now listed, according to the Law Department. I would have to put an individual on my payroll, have him go down, say he's a City employee, taxes drawn and so forth. Presently, the Mayor can hire any consultant he wants and he gives him a direct fee, whether it's $50,000, $20,000, $100,000. But we cannot do that. We have to get a vote of Council, five members have to vote on it, and we only have $5,000 there anyway and I think most of that's almost gone this year.

Am I right, Michelle?

Michelle Madoff:

That's exactly what I said.

The Chair:

We're talking two different things as I see it. Let me see if I can clear it up somewhat.

Council itself, under our professional services, can engage consultants. No question there.

Michelle Madoff:

That's a majority vote of Council. That's not what I'm talking about. I'm talking about Michelle Madoff or Mr. Ben Woods, out of our own staff, wish to hire a consultant. I would like to study a specific issue. Mr. Woods had a specific issue; he wanted a consultant. We don't need a full-time staff to do it.

The Chair:

That's because the monies

allocated to you are for specific staff —

Michelle Madoff:

Right. But we want to amend that.

The Chair:

You can't do it now; the budget is passed.

Michelle Madoff:

If we wanted to do it and there was a will to do it, we can somehow find a mechanism to do it.

The Chair:

You can't do it out of that code account.

Michelle Madoff:

Why? We change money from code accounts all the time.

The Chair:

You don't change code accounts until the end of the year. Only at budget time. In that account you have your staff and the other 15 was supposed to be for a word processor person.

Michelle Madoff:

We would like to have consultants rather than full-time staff because it's too costly. We get more for the money by hiring a consultant for an issue or specific advice over the year for perhaps $2,000, $3,000, $4,000, $5,000 or $6,000 as part of their advice as a staff person to us, or in place of a staff person but doing the same job without having to pay all the other benefits.

We want that changed. Most of us want that.

The Chair:

But this is not the time to change it.

Mr. Woods:

Can I make a suggestion? I don't know if it will cure it. Right now we, Council, has a professional service account, a code account. Let's say that I want to take, with the will of Council, I have to get five votes, $2,000 out of my other code account and put it into that professional code account. Then I say hire this individual for me and pay him out of that account. Would that be possible?

Michelle Madoff:

I don't know how you do it but there's a mechanism for doing it.

Mr. Woods:

For this year.

The Chair:

That's a transfer. If it's a code account you can't —

Michelle Madoff:

Mr. Stone, if you wanted to do it, Mr. Woods wants to do it, I think you're smart enough to figure out a way to do it. We want it to happen; we don't know how to make it happen on the books legally.

Mrs. Masloff:

I have a question. If you want to hire somebody, Ben can't you hire somebody and say this is an aide? Call him an aide instead of a consultant and

then you pay it out of your own —

Michelle Madoff:

No. He has to be sworn in, then the City takes his taxes out and they don't want to work for you. They don't want to work for us on that basis. They have other jobs to do. They don't want their money taken out.

Can we work it out? Is it resolved? I'm going to transfer $3,000 of my money, I'm making a motion right now, to Mike and I'm going to hire a consultant and you'll pay him out of that money. Is that the way it's going to work?

Mr. Perry:

If you have $3,000 I'll transfer it in, Michelle.

Michelle Madoff:

But I want to know after it's transfered in, can I use the money? I want it a joint motion. Do I have five votes to hire a consultant? It's the same thing as a staff person but I want somebody as a consultant as opposed to full-time.

The Chair:

It would appear to me that that's possible.

Michelle Madoff:

Can we have five votes on it so I don't have any problems?

Mrs. Masloff:

What I want to know is this; why can't you —

Michelle Madoff:

Because they have to take salary out; they'll take deductions.

The Chair:

What she has to do is transfer what she wants to another code account.

Mrs. Masloff:

I know that, I know that. But instead of that, can't she hire a consultant and call him or her an aide and then pay for him out of your own —

Michelle Madoff:

No. That's what I'm saying. You have to do it the other way.

The Chair:

She wants to keep that individual as an independent contractor as opposed to an employee.

Michelle Madoff:

Exactly. I want to do it legally. We're being turned down. Mr. Woods had an embarrassing situation; I don't want my situation to be embarrassing.

The Chair:

Bring the thing before us and we'll see what we can do with it.

Michelle Madoff:

I'm doing it now. Can I have five votes to transfer?

The Chair:

I don't think you need it, Michelle. That's the point I'm making.

Michelle Madoff:

You just said I needed it.

Mr. Woods:

You need legislation to transfer the money, Michelle.

Michelle Madoff:

Mike, will you draft a bill for me that tranfers $3,000 into this account for which I can hire —

The Chair:

Don't fight it, Michelle, you got it.

Mr. O'Malley:

For the benefit of the new Councilmembers, Mr. Wagner and Mr. Grabowski, in the past it was appropriate for Councilmembers, for each of us to name our own solicitor and to be approved by Council as a whole in case any of us wanted to go out for an opinion different from the Law Department.

I make a motion now that we update our list of solicitors, that every Councilperson submit a name of a solicitor to represent their office to the President of Council and that these solicitors be confirmed by resolution.

The Chair:

My recollection differs slightly with yours. Mine is that anyone who has requested, if they want to, to submit a name of someone who is qualified from which we in the future might pull a solicitor to handle a specific item. We all didn't have our own little lawyers, so to speak.

Mr. O'Malley:

Well, we all submitted a name, I have in the past, and an individual Councilmember certainly has the right to use the solicitor that he or she named.

So, would it be appropriate for all of to name a solicitor?

Mrs. Masloff:

But before you can use it you have to get Council's approval.

Mr. O'Malley:

Certainly.

Michelle Madoff:

It used to be that you only needed the approval of the President of Council; Mr. Stone changed that after we paid some money on an attorney for me on Warner. You didn't realize you were going to be President of Council or you would have had control over that.

Mr. O'Malley:

You didn't answer my question. Is it appropriate?

The Chair:

You can submit a name to that list. No problem. The only thing I was correcting you on was we weren't picking a person we want but rather someone who is qualified to go into a pool from which we could select.

Mr. Woods moved to excuse Mr. Givens for absence from the meeting.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Woods moved to approve the Minutes of Monday, April 9, 1984.

Michelle Madoff seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Woods**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, April 30, 1984 No. 18

Municipal Record

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, April 30, 1984

PRESENT:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

ABSENT:

Mr. Givens

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. O'Malley presents

Bill No. 682 WHEREAS, on April 23, 1984, the Commonwealth Court of Pennsylvania unanimously declared Pittsburgh's ban on self-service gasoline stations unconstitutional; and

WHEREAS, this opinion upheld a 1982 ruling by Allegheny County Common Pleas Court that the City's action violated state and federal constitutions in that no evidence had been presented to support the argument that self-service gasoline stations are a fire and safety hazard; and

WHEREAS, statistics prove that in a large metropolitan area, fifty-two percent (52%) of all self-service gasoline stations will remain full service to accommodate the elderly and handicapped; and

WHEREAS, ten thousand people signed a petition requesting that the ban on self-service be lifted; and

WHEREAS, the City Solicitor's office idicated that no decision has been reached on whether or not to seek further appeal before the State Supreme Court.

NOW THEREFORE,

BE IT RESOLVED, that the majority of the Members of City Council of Pittsburgh request that the Administration and the Solicitors not continue to waste the taxpayers money, and not appeal to the Supreme Court.

Mr. O'Malley moved to adopt the resolution.

Mr. Robinson seconded the motion.

Mr. O'Malley:

What I'm asking for from my colleagues is a concensus of the majority of the members of this Council. When Judge Zappala first rules in 1982, I had no objections to Danny Pietragallo seeking an appeal to the Commonwealth Court. I felt at that time that it was a local decision and we needed a much broader opinion on it. Now that the Commonwealth Court has unanimously upheld Judge Zappala's decision, I myself am under the impression it would be a waste of time and a waste of taxpayers' money, if for no other reason because the judge who wrote the first opinion now sits on the Supreme Court. We're all well aware that Judge Zappala did get elected to the Supreme Court.

I also believe it's in the best interest of the City of Pittsburgh and the majority of the businessmen who own gasoline stations. Over 40 dealers in the City of Pittsburgh that own service stations, came to my office three years ago and requested that the ban be lifted.

The argument that it's a fire hazard, it's been proven that self-service gas stations, in safety, are only second to fire stations. Self-service gas stations are not as much a safety hazard as full-service gas stations.

The argument that the handicapped will not be able to get service does not hold true because 52 percent of all the gasoline stations in the City of Pittsburgh will stay full-service.

So what I'm asking my colleagues to do is to consider some of these facts and to support this resolution.

The Chair:

Clerk, call the roll.

Mr. Grabowski:

Mr. President, would it be proper to make a comment at this time?

The Chair:

Yes.

Mr. Grabowski:

Not having been on this Council prior to January, I'm not all that familiar with the particulars of this matter and all the discussion that transpired. I'm not even that familiar with the rationale that the previous two courts had in making their decision.

I'm going to oppose this resolution because I would like our Law Department to have the option to go further if they feel there is a chance that we can win it but if the previous two courts have made some valid points and its apparent that we can't win it, I hope that the Law Department would exercise good judgement and drop it.

I cast my vote in the negative.

Mrs. Masloff:

I oppose for many, many reasons. The first reason is that I believe that once the City goes self-service they will be taken over by companies. I don't believe we'll ever be able to get anybody at any service station to help anybody who needs it and in a city that has a large percentage of senior citizens I believe we're going to be severely handicapped.

I oppose.

Mr. Wagner:

I'd like to make a comment also. I also was not here when there was considerable discussion on this issue. In having attempted to understand the issue to the best of my knowledge, I think there's definitely some positive factors related to both sides. I think the major issue that has been brought to my attention mainly by those that I guess oppose this legislation is the fact that there is a potential for losing jobs here. Because of that, that has to be the bottom, in my mind, that is the bottom line. If by creating self-serve gasoline stations in the City we were to lose say just five jobs, I think that's five jobs too many.

Therefore, I vote no.

Mr. Woods:

I vote no and I vote no for the same reasons I voted two years ago. Once the state enacts a divorcement act, I will be more than happy to vote for any legislation for self-service.

I just had a good friend of mine go out of business. The oil company raised his rent three times in one year and he no longer has that station; it's boarded up waiting for this type of legislation to come through. With self-service they can put a mini-market in there and I vote no until we have the divorcement act in the state of Pennsylvania.

The Chair:

Mr. O'Malley has had some strong feelings on this and I think he appreciates that I likewise have had some strong feelings to the contrary. I would be less than fair and less than honest if I were to at this point agree with it when I was one of the leaders who opposed it from day one.

In view of that, I have no recourse but to vote no.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. O'Malley	Mr. Robinson
AYES 2	NOES 5

VOTING NO:

Mr. Grabowski	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. Wagner	(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Michelle Madoff:

I was not here; I did not know that you had done the resolution on the gas stations. Since you ruled the other day that Mr. Wagner could vote when he came in, may I vote?

The Chair:

You may.

Michelle Madoff:

If you want to vote to support the resolution, to have self-service gas stations, do you vote aye?

The Chair:

The issue is whether or not our Law Department should refrain from taking an appeal.

Michelle Madoff:

Yes, they should refrain from taking an appeal. I support the resolution.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff	Mr. Robinson
Mr. O'Malley	
AYES 3	NOES 5

VOTING NO:

Mr. Grabowski	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. Wagner	(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Mr. Robinson:

Mr. President and members of Council, as everyone is aware, this past week we lost one of this City's outstanding citizens, a former member of this Council, the Honorable Louis Mason, Jr. I thought it would be most appropriate and fitting to follow the spirit of Councilman Stone's comments and the kind comments of other members of Council to introduce a resolution into Council and to also make available to Mrs. Mason and Mr. Mason's brother gold seal copies of that resolution to identify and signify our high regard for Mr. Mason.

Mr. Robinson presents

Bill No. 683 WHEREAS, the Honorable Louis Mason, Jr., served the City of Pittsburgh and its citizens for twenty eight years as Deputy Administrator of the Fair Employment Practices Commission, Executive Director of the City of Pittsburgh Commission on Human Relations, and member of City Council; and

WHEREAS, on April 11, 1967, he was sworn in as a member of Pittsburgh City Council and was elected President of Council on December 14, 1970, serving until his retirement on March 8, 1977; and

WHEREAS, his distinguished career was punctuated with service to the NAACP, the Church of the Holy Cross, Carnegie-Mellon University, Saint Francis General Hospital, and the National Association of Social Workers; and

WHEREAS, in 1940, the Honorable Louis Mason, Jr., graduated from the University of Minnesota with a Bachelors Degree, and in 1950 from the University of Pittsburgh with a Master of Arts Degree; and

WHEREAS, his spirit, intellect and immense concern for all Pittsburghers, earned him the admiration and respect of all whose lives he touched.

NOW THEREFORE,

BE IT RESOLVED, that the Mayor and the members of Council, on behalf of the people of Pittsburgh, give honor and praise to the life and works of the Honorable Louis Mason, Jr., and extend deepest sympathies to his family, friends and many admirers.

Mr. Robinson moved to adopt the resolution.

Mr. Woods seconded the motion.

Which motion prevailed.

The Chair:

Mr. Clerk, if you would, I'd like to have my remarks from last Wednesday brought forward. I would like to commend the Pittsburgh Post Gazette for their editorial relative to former Council President, Mr. Mason. I would also like to emphasize that Councilman Mason sat at one time on this Council when practically everybody was a candidate for Mayor as far as Councilpersons were concerned and he was able in a nice and respectful way to treat everybody respectfully so that one was not getting, so to speak, the edge on the other, showing the tremendous ability that he had to mediate and for which many times he did not get credit. But at this time, I would not like it to pass that that were not mentioned.

I also would like to mention that the Chair has been the recipient of many fine and affectionate and constructive comments from Councilman Mason, always well-intended, always constructive, always trying to help, and the one underlying thing was to help the City of Pittsburgh. We had the opportunity to give him the title of Council President Emeritus, and I think he enjoyed it and we'll always remember him for having obtained that.

It's with best wishes that we send to the family our sympathies on this occasion but he will be long remembered as a gentleman who has served this City well.

MR. STONE'S REMARKS ON LOUIS MASON - WEDNESDAY, 4/25/84)

Mr. Stone:

If I may, on behalf of City Council, I would like to express our heartfelt sympathies to Mrs. Mason.

Lou Mason, our former President of City Council, served well on the Human Relations Commission, served well on City Council, and served well as President of City Council, and because of his service and dedication to this City, this City is better off for his service. But, in addition to that, little known was the tremendous leadership ability that he had with all of the members of the Council that he had serving at that particular time. We have affectionately addressed him as Council President Emeritus, and I'm sure he felt great with that feeling, but all of us will not feel as great at his passing, but he will always remain in our memory as a fine gentleman, good Councilman, good citizen, and good President of City Council.

May we all rise at this moment for a moment of silence.

(END - MR. STONE'S REMARKS ON LOUIS MASON - WEDNESDAY, 4/25/84)

Mr. Woods presents

Bill No. 684 The United States Marines are the subject of legend. The Second Marine Division are the makers of that legend;

Formed in the earliest worst days

of World War II, the Second Division defended our crippled nation until it could heal itself from the wounds of Pearl Harbor;

The Marines of the Second Division were among the first to shed their blood and forfeit their lives in the early months of the Pacific War;

August 1942: Guadalcanal. The Second Marines were there and were still there in February, 1943, when the island was finally won;

November, 1943: Tarawa. The Second Division took the island in fighting that saw a total of 3,500 American casualties lost on the first day, many were from the Second Division;

April, 1945: Okinawa. Despite kamikaze attacks, the Second Marines played its part in taking the first island of the Japanese homeland;

After the war, the Second Division defended the peace. Ordered into Lebanon in 1958; deployed as defenders in the Cuban Missile Crisis in 1962; protectors of their countrymen in the Dominican Republic in 1965; returning from Lebanon in 1982;

We honor, in the fullest sense of the word, every Marine who served in the Second Division of the United States Marine Corps. We honor those who fought in war time and those who defended the peace. Most of all, we honor the heroes of the Second Marines who gave their lives in such lonely places as Guadalcanal, Tarawa, Okinawa and Lebanon.

NOW THEREFORE,

BE IT RESOLVED, that the Mayor and Council of the City of Pittsburgh proclaim May 4th, 5th and 6th, as "Second Division of the United States Marine Corps Days" in the City of Pittsburgh.

Mr. Woods moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

The Chair:

I think we should not let it pass without mentioning that our former Council President was a member of the Second Division of the Marine Corps, Mr. Eugene (Jeep) DePasquale.

Mr. Woods:

We should also not let it pass that w- have a fellow colleague, though he was not in the Second Division, is a former Marine and a veteran of the Vietnam War, Jack Wagner.

Mr. Wagner:

Thank you Councilman.

Mr. Woods presents

Bill No. 685 In an open society, citizens can make a significant contribution to our country. For this reason, we honor Diann Wall Wilson;

In 1982, Pittsburgh area resident Diann Wall Wilson recognized that the bulldog mascot of the United States Marines Corps had never been officially adopted by the Corps;

Ms. Wilson recognized that each area of the Corps used a different version of the bulldog on decals and official emblems;

Ms. Wilson, with the help of

Pittsburgh artist James Fusco, designed an official bulldog emblem for the Corps. The new emblem depicts the bulldog as a drill sergeant surrounded by the globe and anchor logo of the Corps;

Such was the success of Diann Wall Wilson's design, the Marine Corps made it their official mascot logo in January 1983;

Today the Wilson bulldog logo can be seen on official Marine Corps materials and merchandise.

NOW THEREFORE,

BE IT RESOLVED, that the Mayor and Council of the City of Pittsburgh declare May 5, 1984, as "Diann Wall Wilson Day" in the City of Pittsburgh in recognition of her contribution to the Marine Corps and the Nation.

Mr. Woods moved to adopt the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. Grabowski for Mr. Givens presented

No. 661 Resolution granting unto the University of Pittsburgh their successors and asigns, the privilege and license to construct, maintain and use at their own cost and expense, restrooms, and concession stands, over on a portion of the sidewalk of Allequippa Street in the 4th Ward of the City of Pittsburgh.

Also,

No. 662 Communication from Norman N. Walker, Director, Department of Environmental Services, requesting authorization for Barry McMeekin and Gerald Stockton to attend the Animal Control Academy in Ann Arbor, Michigan on May 14-25, 1984, at a cost not to exceed $2,600.00 payable from Code Account No. 1181, Miscellaneous Services and Supplies, Department of Environmental Services.

Which were read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 663 Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the purchase and delivery of Various Automotive Equipment for the Department of General Services, at a cost not to exceed $20,000.00 chargeable to and payable from Code Account No. 4-30-01-0001-83, Misc. Equipment, Various City Departments, Dept. of General Services.

Which was read and referred to the Committee on General Services.

Michelle Madoff presented

No. 664 An Ordinance amending the Pittsburgh Code, Title Seven - Business Licensing, Article VII, Service Business, Chapter 763, Parking Lots, by amending the safety requirements for the licensing and operation of open and enclosed parking lots.
—(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Public Safety.

Mrs. Masloff presented

No. 665 Resolution authorizing the issuance of a warrant in favor of Alex and Joseph Kolas in the amount of $600.00 in payment for rental of property at 5632-40 Second Avenue for the first six months of 1984, chargeable to and payable from Code Account No.

1801, Misc. Services, Dept. of Parks and Recreation, (Index Code No. 180109).

Which was read and referred to the Committee on Finance.

Also,

No. 666 Resolution authorizing and directing the City Treasurer, on behalf of the City of Pittsburgh, to accept funds from various concessions occurring at Department of Parks and Recreation Special Programs and events, and to deposit all such concession funds in the Special Parks Program Trust Fund (SPPTF) for such costs as salaries, materials, supplies, performers fees, and miscellaneous services and expenses in connection with Special Parks Programs in the Dept. of Parks and Recreation, (Index Code No. 254359).

Also,

No. 667 Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting interim approval for payment in connection with the purchase of services for repairs on the copying machine in the Department of Parks and Recreation in the amount not to exceed $600.00 payable from Code Account No. 1801, Misc. Services, Dept. of Parks and Recreation.

Also,

No. 668 Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting authorization for Ed Sharbaugh, to attend the 1984 Mid-Atlantic Wheelchair Games in Virginia Beach, Virginia, on May 3-7, 1984, at no cost to the City of Pittsburgh. Prior approval granted by Council letter dated April 23, 1984.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Robinscn presented

No. 669 Resolution authorizing the Council Task Force on Investment Policies and Business Practices, chaired by William Russell Robinson, to contract for professional services in an amount not to exceed $5,000.00. The funding for the contracted professional services shall be paid from City Council's appropriation for professional services contracts. **—(SPONSORED BY MR. ROBINSON)**

Which was read and referred to the Committee on Finance.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 670 An Ordinance accepting and approving the June 1983 Hill District Study Area Development Guidelines Plan as the Comprehensive Development Plan for the Hill District, City of Pittsburgh (3rd & 5th Wards). **—(SPONSORED BY MR. ROBINSON)**

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 671 Resolution providing for the issuance of a warrant in favor of the Dick Corporation (D.W. Dick, President), in the amount of $9,770.00 in payment for an Emergency Contract for the

repairs for a pin connection on the Fort Pitt Boulevard-Eastbound, payable from Code Account No. PW 84-38, 4-13-30-0001-84, Miscellaneous Repairs to Streets and Structures, Dept. of Engineering and Construction, Index Code No. 307504. Prior approval granted by Council letter dated September 8, 1983.

Also,

No. 672 Resolution providing for the issuance of a warrant in favor of Mario DePasquale, Inc. (Mario DePasquale, President),in the amount of $15,478.74, in payment for Extra Work, being in addition to the original price of $706,376.00, on Controller's Contract No. 26101, furnished for the benefit of the City in connection with the Reconstruction of the Crane Avenue Bridge, payable from the Liquid Fuels Tax Trust Fund, Index Code No. 260406.

Which were read and referred to the Committee on Finance.

Mr. Woods presented

No. 673 Resolution providing for the filing of an application(s) by the City with the Pennsylvania Department of Labor and Industry for a grant(s) in connection with the Job Training Partnership Act; providing for the execution of grant contracts and for the filing of requisitions and other data; providing for the appointment of the Private Industry Council and authorization for the Private Industry Council and the City of Pittsburgh to enter into agreements authorized by the Job Training Partnership Act; providing for required assurances; providing for execution of payment vouchers and for certification of authorized signatures; providing for a contract(s) with the Private Industry Council and various agencies/employers for services and programs related to training and employment for the JTPA Projects; providing for the deposit of funds into a bank account.

Also,

No. 674 Communication from Melanie Smith, Director of the Department of Personnel, requesting authorization for Bernard Schneider, Philip Schugar, John Ewart and William Dickson to attend a training program sponsored by the New York City Office of Operations and American Federation of State, County and Municipal Employees in New York City on May 21-23, 1984, at a cost not to exceed $2,100.00 payable from the Labor-Management Committee Program Trust Fund. City to be reimbursed 50% of the costs. The purpose of this meeting is to train new Labor-Management Committee members in identification and problem-solving techniques, skill-building, conflict resolution and the concepts and mechanics of Labor-Management Committees.
Which were read and referred to the Committee on Finance.

The Chair presented

No. 675 Petition from the concerned citizens of Carrick, requesting the paving of Amanda Avenue, in Carrick.

Which was read and referred to the Committee on Public Works.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 676

Report of the Committee on Finance for April 25, 1984 transmitting sundry

resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 613

A Resolution entitled, "Resolution amending Resolution No. 197, approved March 22, 1984, effective April 3, 1984, entitled, 'Providing for the issuance of a warrant in favor of Machine Manufacturing and Repair Company, 2323 Main Street, Pittsburgh, Pennsylvania 15215, in the amount of Five Thousand Six Hundred Fifteen ($5,615.00) Dollars, in payment for the installation of three pumps at the highland Pumping Station, furnished for the benefit of the City; and providing for the payment thereof,' by indicating the amount of the warrant in Section 1."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robiner
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 614

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Conn Construction Company in the amount of Twelve Thousand ($12,000.00) Dollars in payment for Extra Work, being in addition to the original contract price of $2,882,597.00 on Controller's Contract No. 24647, furnished for the benefit of the City in connection with the Rehabilitation of the Robert McAfee Bridge, Phase I, without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 615

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Conn Construction Company in the amount of $15,780.28, in payment of Extra Work, being in addition to the original contract price of $2,882,597.00, on Controller's Contract No. 24647, furnished for the benefit of the City in connection with the Rehabilitation of the Robert McAfee Bridge, Phase 1, without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 618

A Resolution entitled, "Resolution authorizing the Mayor to issue and the City Controller to countersign a duplicate warrant to the same payee and in the same amount to replace the following warrant which was lost, stolen or inadvertently destroyed."

Which was read.

Also,

Bill No. 619

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of R. & W. Forms, 5000 Baum Boulevard, Pittsburgh, Pennsylvania 15213, in the amount of $1,024.80 in payment for printing alterations and new printing plates on the 1983 Pgh. 40 Tax Form-City and School District of Pittsburgh Individual Earned Income Tax Return Forms and Instruction Booklet furnished for the benefit of the City in connection with the collection of taxes; and providing for the payment thereof."

Which was read.

Also,

Bill No. 620

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Best Business Forms Company, 109 DeWalt Avenue, Pittsburgh, Pennsylvania 15227, in the amount of $2,846.11 in payment for additional work on six self-mailer Earned Income and Occupation Tax Forms and one self-mailer Business Tax Form which included increasing the number of parts for the forms so they would adhere to United States Postal Service Mailing Regulations, printing changes on the filing instructions for each form, and other printing and print address spacing changes furnished for the benefit of the City in connection with the collection of taxes; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 622

A Resolution entitled, "Resolution providing for the filing of a petition for the exoneration of taxes and transfer of properties in accordance with the laws applicable for transfer."

Which was read.

Also,

Bill No. 623

Resolution amending Item I of Resolution No. 867, approved August 25, 1980 for sale of 2 lots in the 15th Ward, Emahlea Street and Hazelwood Avenue, Block and Lot 55-L-212, 230 to Mark M. Wolynn, for the sum of $1,550.00. Amendment is to correct information.

Which was read.

Also,

Bill No. 624

Resolution amending Item B of Resolution No. 803, approved August 12, 1982, for the sale of a 2 story frame house at 3380 Milwaukee Street (5th Ward) Block and Lot 26-P-45, to Carolyn C. McNeal, for the sum of $1,000.00. Amendment is to reduce price of sale to $300, as the house had to be razed.

Which was read.

Also,

Bill No. 625

Resolution amending Item K of Resolution No. 110, approved March 2, 1984, for the sale of a house on Hazelwood Avenue (15th Ward) Block and Lot 55-M-37, to Mark Wolynn, for the sum of $1,000.00. Amendment is to correct the size of the house.

Which was read.

Also,

Bill No. 626

Resolution amending Item F of Resolution No. 110, approved March 2, 1984, for the sale of a brick house and 2 lots on Rosetta Street, Block and Lot 50-G-34-35-35A, to Willie L. and Evelyn L. Glass (W.) for the sum of $1,350.00. Resolution is to correct page number.

Which was read.

Also,

Bill No. 627

Resolution repealing Item H of Resolution No. 14, approved January 31, 1984, for the sale of a 2 story building at 915 Tyson Street (13th Ward) Block and Lot 174-M-334, to Grady I. Davis and Mark Aaron Spencer, for the sum of $750.00. Resolution is to repeal sale and refund the hand money.

Which was read.

Also,

Bill No. 630

A Resolution entitled, "Resolution repealing various resolutions, approved on various dates, authorizing the sale of properties in various wards of the City of Pittsburgh in accordance with Act No. 514, as amended. The reason for the repealing resolution is to cancel the sales and to forfeit the hand money in the respective sales, as the purchasers have all failed to comply with the Agreement of sale."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski for Mr. Givens presented

Bill No. 677

Report of the Committee on Public Works for April 25, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 565

A Resolution entitled, "Resolution vacating Francis Street between Wylie Avenue and Webster Avenue, Montague Way between Mayberry Way and Centennial Way, Conkling Street between Mayberry Way and Webster Avenue, Mayberry Way between Montague Way and Francis Street and Centennial Way between Conkling Street and Francis Street in the 5th Ward of the City of Pittsburgh, excepting and reserving easements for the 18-inch T.C. Pipe combination sewer and the 20-inch and 8-inch waterlines in Francis Street, the 8-inch waterline and the 15-inch T.C. Pipe combination sewer extending from Centennial Way to a point approximately 45 feet southwardly therefrom in Montague Way, the 12-inch T.C. pipe combination sewer extending from Webster Avenue to Centennial Way in Conkling Street and the 12-inch T.C. pipe combination sewer extending from Conkling Street to Montague Way in Centennial Way."

Which was read.

Also,

Bill No. 594

A Resolution entitled, "Resolution repealing Resolution No. 212, effective April 3, 1984, entitled, 'Providing for a Contract or Contracts, or the use of existing Contracts, for the installation and removal of Flashing Signals at School Crossings at various locations within the City of Pittsburgh; and providing for the payment of the cost thereof."

Which was read.

Mr. Wagner:

On Bill 594, the installation and removal of flashing signals at school crossings at various locations within the City — Did we ever obtain a list of those locations?

Mr. Perry:

No.

Mr. Wagner:

We had before Council about six weeks ago, a group from the 14th Ward, Squirrel Hill, that was very concerned about a new location installation of a crossing signal.

The Chair:

My understanding is that that one was to go through. When I spoke to them on that issue, that's Dennison, I think —

Mr. Wagner:

Yes.

Mrs. Masloff:

That's been installed.

Mr. Wagner:

Okay. One other point I'd like to make. We should be receiving with any, and we have requested this numerous times, the locations when it states various locations.

The Chair:

Agreed. Mike, send out another reminder that various locations needs an identification.

Also,

Bill No. 595

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for Miscellaneous Electrical Services for the renovation of the Second Avenue Substation and other structures within the Department of Public Works; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 596

A Resolution entitled, "Resolution granting unto Robert J. Hart, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a street encroachment on a portion of Stewart Avenue in the 32nd Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

Bill No. 678

Report of the Committee on Planning, Housing and Development for April 25, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with a **NEGATIVE** recommendation,

Bill No. 417

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01(a)A-10 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for authorization to occupy the existing structure located at 108-110 Miltenberger Street as an Institutional Facility to be used by the Pennsylvania Bureau of Corrections, Community Services Division, as a Pre-Release Center for 24 Convicted adult male State Prisoners, with supervision, on property zoned "C3" Commercial District, 1st Ward."

Which was read.

Mr. Robinson:

Mr. President and members of

Council, I'd like to read a letter into the Record and have this letter attached to Council Bill 417. This letter is dated April 27, 1984, is addressed to me and was forwarded by Mr. Thomas F. Halloran, Senior Deputy Attorney General in the Commonwealth of Pennsylvania Office of the Attorney General. It reads as follows:

"Dear Councilman Robinson:

I am writing on behalf of the Pennsylvania Bureau of Correction Community Service Division. The Bureau has entered into an agreement to lease 108-110 Miltenberger Street from Sal Williams as an institutional facility to be used as a pre-release center for 24 adult males from the State Correctional System. This proposal is not an effort by the Bureau of Corrections to increase the number of such facilities in the City of Pittsburgh, but represents relocation of the facility currently located on the North Side at 915 Ridge Avenue.

Our concern is a misapplication of the Pittsburgh Zoning Ordinance and the failure of the City Planning Department to properly implement that ordinance with regard to this application. This matter was first before Council Committee on March 21, 1984. At that meeting, upon motion of Councilman Robinson, the Bill was referred back to the Planning Commission with the request that the Commission convene a meeting with the appropriate State officials and owners of the property and community groups and organizations that were initially involved in negotiations relative to use of that site. It was further requested that an attempt be made to identify the problem areas and work out some agreement. (See attachment A) The Commission's recommendation for this application prior to the March 21 meeting was for denial.

Subsequent to that Council action, I personally contacted Robert Lurcott on numerous occasions and indicated our interest in meeting with the Planning Department and with community groups concerning this application. We were most interested in pursuing a review of the Planning Department and Commission action in this matter because we did feel that there was demonstrated community support for this proven quality program and that community fears could be alleviated.

We were also concerned that the Planning Department had recommended denial of this application despite the fact that this location was identified as appropriately zoned after meetings with the Planning Department.

The Planning Commission response rejecting Council's request is attached. (See attachment B) We understand that Council in most cases will and should follow the recommendation of the City Planning Commission in these matters. However, this application presents an exception that warrants your special consideration. This program by all accounts is a quality program with a proven track record since 1969. This Council has recognized its community support and sought to resolve differences. The Planning Commission has refused the efforts of the applicant to meet again with community groups and the Planning Department to resolve the matter. We contend that this refusal plus the quality of the program and its support in the community provides a strong basis for this Council to reverse the decision of the Commission and approve this application.

Thank you for your consideration.

Very truly yours,

Thomas F. Halloran
Senior Deputy Attorney General"

ATTACHMENT A

March 22, 1984

Rosemary D'Ascenzo, Chairwoman
Planning Commission
City of Pittsburgh

Re: Bill No. 417 - Conditional Use Application No. 519 — A Proposed Institutional Facility located at 108-110 Miltenberger Street, 1st Ward.

Dear Ms. D'Ascenzo:

At Council's Committee Meeting of March 21, 1984, Council approved a motion to refer the above bill to the Planning Commission and request that the Commission convene a meeting with the appropriate State Officials, owners of the property, and community groups and organizations that were initially involved in negotiations relative to the use of that site.

You are requested to attempt to identify the problem areas to see if some agreement can be worked out, and to provide this office with a report no later than 30 days from the above date.

Your cooperation will be greatly appreciated.

Sincerely,

MICHAEL PERRY
City Clerk

MP/jrm

cc: Robert Lurcott
James Brown

ATTACHMENT B

12 April 1984

Mr. Michael Perry
City Clerk
510 City-County Building
Pittsburgh, PA 15219

Dear Mr. Perry:

This letter is in response to your letter dated 22 March concerning the Conditional Use Application for an institutional facility on Miltenberger Street. The Commission considered carefully Council's request for the Commission to bring the parties of interest together for the purpose of resolving the issues in this case. Based on the fact that the Commission acts in a quasi-judicial capacity in the Conditional Use process, it is the Commission's conclusion that it would be inappropriate for it to inject itself into a negotiating process.

I want to assure you and the members of Council, however, that the Commission carried out its responsibilities under the Conditional Use procedures fully, in both letter and spirit. In preparing for the hearing, staff fully apprised the community of the proposal by the Bureau of Corrections and saw to it that meetings were held between the applicant and appropriate community representatives. The hearing allowed for a full airing of views and a discussion of the issues with the opportunity for both sides to present fully their cases and to cross-examine witnesses. As a result of this process, it is the Commission's considered judgement that the community is adamantly opposed to the facility locating on that site or in that neighborhood, and that further discussions would not change that position.

The Commission's negative recommendation, as indicated in its report submitted earlier, is based on the conclusion that the location of such a facility in the Midtown Corridor neighborhood at this time would have a significant, negative impact, particularly in view of the fragile but positive state of transition which exists.

Sincerely,

Rosemary D'Ascenzo, Chairman
City Planning Commission

RHL/jls

Mr. Robinson:

Just two quick comments if I might. The Planning Commission, through its Chairperson, Mrs. D'Ascenzo, did send to Council a letter subsequent to Council Bill 417 being referred back to the Planning Commission. A copy of that letter was made available to every member of Council and was discussed at our last Council session. It is attached to the bill.

The letter basically indicates that the Planning Commission feels it has done everything legally required to provide a due process hearing on this matter and that their decision that was originally sent to us in the form of a recommendation, still stands and is still their recommendation. So, the Planning Commission has not changed its position.

The letter also indicated that the Planning Commission did not feel that any substantive matters could be resolved by reconvening any meetings of the parties that I identified in my request and that they did not feel it would be in the best interst of the Commission or the City to pursue the matter beyond that which they had already done. So, the Planning Commission's position is still the same; their recommendation is for denial.

Last Wednesday, I made reference to the Planning Commission action and indicated that my recommendation was that we support the Planning Commission in terms of denying this request. My position today, even after having read Mr. Halloran's letter, and I certainly appreciate his interest, my position is still that we should support the Planning Commission and deny the request.

Michelle Madoff:

I happen to know that the people who are directly involved in this, as a matter of fact they're here today, Mr. Jim Murphy who is head of the Prison Release Program for the State of Pennsylvania, has done an outstanding job. On several occasions when we've had hearings in this Council that have set ground rules for people going right back to calaboose if they don't tow the line, their requirements are even more stringent. My understanding is that because of the recommendation of the Zoning Board, we almost really don't have very much choice. But I would like to alert this Council that we probably will be in litigation, that they probably will pursue it through the courts. I think I've shared this with you before.

The Chair:

Alright, if you're voting for it — Ignore for a moment the negative thing; we're going to vote the bill up or down. So, if you're for it vote yes, if you're opposed to it vote no.

I just could not let this pass without a comment. It's easy to come now and tell us that we're not trying to cause any problems, we're just shifting the sand, so to speak. I'm mindful of the situation in the South Side, I'm mindful

of the situation in the East End and also the North Side, where the State took it upon themselves to put these facilities in those communities without even letting anyone know, including our Planning Department, so that we could rightfully and orderly and with some plan handle it. It's kind of too late to complain now but I would like just to suggest to the State if they still have some sincere interest, let's do it the right way. They don't like to be told by some citizen that there's a pre-release center next to their house and that same thing applies here. But on the other hand, I would just like to make it clear that the City of Pittsburgh has always been responsive, has always measured up to it's duty of responsibility by accepting all kinds of group homes, whether it be drug rehabilitation, delinquents, children of any kind as well as pre-released. But nevertheless, it cannot be done unless there is some coordination to know where it all is and one of the biggest violators of that plan was the State in years passed.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

VOTING NO:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES none NOES 8

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Also, with an AFFIRMATIVE recommendation,

Bill No. 573

A Resolution entitled, "Resolution establishing a First Source Employment agreement procedure as a policy for coordinating and implementing City of Pittsburgh economic development and employment programs." **(SPONSORED BY MR. ROBINSON)**

Which was read.

Michelle Madoff:

Mr. Robinson, on Bill 573, the bill addresses itself to priorities and City residents. Is that correct?

Mr. Robinson:

I'm not sure I understand your question.

Michelle Madoff:

Well, First Source Employment would be that we would give preference to City residents over County residents?

Mr. Robinson:

No, that's not accurate.

Michelle Madoff:

Could you tell me then where I'm wrong, please?

Mr. Robinson:

Okay. Those individuals who would be in the First Source pool would be those individuals who would be

eligible to participate in our Jobs Training Partnership Act Program. Those persons and those persons who would be eligible to participate in the Private Industry Council Program for the City of Pittsburgh would make up a pool of applicants for non-professional, non-managerial and non-technical positions. Any developer or person making a loan from the City under the eight categories listed in Section 4 would find an agreement with the City of Pittsburgh to use that pool of individuals first. They would go to that pool first to try to find people to work at entry level jobs. But only those people who would be eligible under the Jobs Training Partnership Act Program would participate in the First Source Program. That would provide the pool.

Michelle Madoff:

I think you didn' understand my question. My question was who would determine who would be in that first pool and what priority would we choose in having those people in the pool.

For example, we have with us today two handicapped people who are being sent job description openings from the City, and they're in wheelchairs, to be lifeguards and school guard crossing personnel. I would like to know that those people could be hired for 911 telephone answering and other clerical or telephone jobs that they could handle. I'd like to be sure that they be on a very high priority.

Mr. Robinson:

Bill 573 does not speak to the concerns you just raised. Bill 573 speaks specifically to Urban Development Action Grants, Housing Development Action Grants, Commercial Revitalization Loans, Contractor Bonding Loans, things of that type, where the City of Pittsburgh would be loaning or granting money to developers or builders in anticipation that jobs would be generated. The First Source Agreement indicates that they would have to sign an agreement with us to use the people we deem eligible to participate in our Jobs Training Partnership Act Program as the First Source for non-technical and non-professional programs. These would not be people hired to work in the City of Pittsburgh government; these would be people who will be hired to work in private industry and private business.

Michelle Madoff:

I understand that but I still didn't get an answer to my question. Maybe I'm having a semantics problem. Would that first pool be made up of minorities, women, handicapped, people who could do some of the clerical end of the work or is it all going to be construction, labor? I don't quite understand.

Mr. Robinson:

Let me read to you from Section 2. The initial and primary selection of employees for non-managerial, non-professional or non-highly technical positions generated from candidates available through the City of Pittsburgh sponsored Jobs Training Partnership Act Program and the Private Industry Council, City of Pittsburgh. Anyone who is eligible to participate in those programs would make up the pool. All of the categories of individuals that you mentioned are eligible to participate in these two programs. They would be a part of a pool.

Michelle Madoff:

How would we guarantee that?

Mr. Robinson:

Federal law and regulations guarantee that.

Michelle Madoff:

They've done it for a long time, Mr. Robinson, but we've been rather unsuccessful on this Council in even getting the 15 percent that was promised to get contracts. It's been less than one-half of one percent. I'm afraid that it could become very political and we would not have the people who need the jobs getting the jobs first in the first pool. I think there could be some language written in that would protect that source making it a priority.

The Chair:

To the contrary. Where he's headed is in the right direction.

Michelle Madoff:

Well, I respectfully disagree. I think the bill is excellent but I just think it could be expanded to say in some manner that priority be given to qualified people who are able to handle, perhaps handicapped people doing jobs where they answer telephones.

The Chair:

Michelle, this is a companion bill with the other bill.

Michelle Madoff:

Does the companion bill cover that?

The Chair:

The companion bill covers those eligible for the —

Michelle Madoff:

Where is the companion bill? Is it coming up now?

The Chair:

Not now but it's in that —

Michelle Madoff:

How do people get to know that they could be eligible for this program, Mr. Robinson?

Mr. Robinson:

The First Source Program?

Michelle Madoff:

Yes. How would we let them know?

Mr. Robinson:

I think there's couple ways to do that. First of all, the Personnel Department is working in conjunction with the Urban Redevelopment Authority and our Law Department to work out all the mechanics of the actual agreements and the implementation of the program.

For those persons who participate in our Jobs Training Partnership Act Program, they obviously are going to be informed through the same process as we use now to recruit people into those programs. Those companies that make loans or receive grants from us will be notified that Council Bill 573 is in effect and that will become a part of their contractual obligation with the City of Pittsburgh. So, it will be a responsibility for them to look at that First Source, that first pool, as well as our responsibility to make sure the pool is there.

Right now we have several thousand people who are already in the pool and already eligible. I think most of the people in this City who are unemployed or who anticipate being unemployed probably have made some inquiries to the City to determine their eligibility for our Jobs Training Program. I don't think there will be any problem at all having a pool of people.

One of the reasons that this bill is being introduced is that our unemployment situation here is becoming critical and particularly for people who don't have some of the skill levels to address some of the new jobs. This type of program is in effect in about three or four cities around the country, major metropolitan cities, and in part it's designed to help reduce the unemployment problem but also to very specifially address the problems of residents in those cities who feel that when jobs are generated in their community, they should have some initial opportunity to present their qualifications.

So, I think that we'll have more than enough people; we just won't have enough jobs.

Mr. Grabowski:

Mr. President, could I question Mr. Robinson? Is it your intention, Councilman, that anyone who accepts City government funding, if they're going to hire, for example, a laborer — I guess a laborer would fall in the category of a non-managerial, non-professional or non-highly technical position — if they wanted to hire a laborer, they would have to hire a laborer that has participated in the Job Training Partnership Act?

Mr. Robinson:

No. Two things should be taken in consideration. Certainly this program should be distinguished from any program requiring any business person or any person getting a loan or grant from the City of Pittsburgh to hire City residents. This is not a program to require the hiring of City residents. This program is geared towards making available to businesses a pool of City residents where they have to use that pool first. If they go through that pool and they don't find anybody that meets their job qualifications, they're certainly free to hire someone else. But there's no requirement that they must hire from that pool; that pool is simply the first source.

Some time ago, Mrs. Madoff raised a very important concern about something that is going on in the North Side of our City where people were coming here from out of town, out of state, and taking jobs which she perceived and I perceived to belong to Pittsburghers. When we began to investigate, we found that there was nothing to prevent the contractor, the builder, the developer, of securing employees wherever he wanted but it was working to the disadvantage of the City of Pittsburgh. Where we are loaning our money, our taxpayers' money, or giving grants of our taxpayers' money, I think we at least owe them the opportunity to get a direct benefit.

This simply affords them that first opportunity to present their credentials. Hopefully, in working out the agreement, those people who loaned money from or we loaned money to or who we grant money to, will have the same concern that we do to try to stimulate local employment. Most of the programs that are identified in Section 4 are programs that are job generating and

part of the rationalization for the request for the money, and that's giving the money, is it's going to generate local jobs. Well, I think local jobs ought to also mean local jobs for local people. The jobs that Mrs. Madoff was concerned about were local jobs. As long as those gentlemen from Alabama and Ohio were in our City, they were local jobs. But we were concerned about some jobs also for people here in the Pittsburgh area.

Mr. Grabowski:

But it's not your intent to mandate that a potential employer hire someone who has only participated in the Job Training Partnership?

Mr. Robinson:

No. Not at all.

Michelle Madoff:

You know, I'm not so sure, Mr. Robinson, that there shouldn't be some kind of mandating. You refreshed my memory. The issue that you're referring to is the Allegheny Mall and they had virtually slaves. They brought in minorities from the South, wharehoused them, paid them probably below minimum wage. Nobody would talk to you; the unions picketed for months on end before I even found out about it because I just happened to go over there to shop and was appalled at what I saw. I'm not so sure that we ought not to say when we're giving our money, our taxpayers' money, the City of Pittsburgh money, that City of people shouldn't have the first chance at the jobs. I think what you're doing in essence is, you know, laws without enforcement are an exercise in futility and what you're saying, Mr. Robinson, "Gee, it would be nice if you'd do it", but if they don't want to do it you know they're not going to do it.

I'm just wondering if you ought to consider making it more stringent.

The Chair:

The Chair considers the fact that Mr. Robinson knew he could do it that way and if it would succeed he would be the first to do it. But Mr. Robinson sees the impossibility of it legally and has come as close as you could possibly be without being in difficulty.

Michelle Madoff:

Mr. Robinson, excuse me. Isn't there a bill in Boston that does mandate using the people in Boston, Boston residents, first?

Mr. Robinson:

The bill that you're making reference to received a lot of publicity. I believe there's another city that also attempted to do the same thing. I think the legal difficulties that both those bills ran into as challengers to the bill took them up to the court, all the way up to the United States Supreme Court, suggested that while certainly the government of Boston was attempting to do the right thing, the people of Boston wanted to do the right thing, but unfortunately, the law could not accommodate them.

The First Source Employment Agreement is what you might call a compromise that many persons like myself are accepting because it at least starts us off in the right direction to make sure that at least our people are considered first. In those cities where this program is operating, to the amazement of many people, the employers, the potential employers, once they go through that First Source pool for non-technical and non-professional jobs, are hiring most of their workers

from that pool. Their objective has always been the same; to make a decent dollar and to do a good job. And I think where cities say to them, "Look, if we're going to loan you money or grant you money, we want you to work with us to employ our people." I would say each and every time they do the best that they can. It's not to their advantage not to try to hire local people —

Michelle Madoff:

Because when they come back to us again we're not going to give them the grant, are we?

Mr. Robinson:

Precisely.

Also,

Bill No. 607

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A(12) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for authorization to engage in a major filling operation of 100,000 cubic yards of soil, to the Urban Redevelopment Authority on the former Jones and Laughlin Site, located between Second Avenue and the Monongahela River east of the Birmingham Bridge, 4th Ward."

Which was read.

Also,

Bill No. 608

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Edward F. Gardner for the sale of Block 22-R, Lot 186-C in the Twenty-First Ward of the City of Pittsburgh (PARKING)."

Which was read.

Also,

Bill No. 609

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Joseph L. and Elnedia Barrow for the sale of Block 22-R, Lot 186-A in the Twenty-First Ward of the City of Pittsburgh (SIDEYARD)."

Which was read.

Also,

Bill No. 610

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of land by and between the Urban Redevelopment Authority of Pittsburgh and Grane Associates for the sale of Block 22-F, Lot 237 in the Twenty-First Ward of the City of Pittsburgh (RESALE FOR REHABILITATION)."

Which was read.

Also,

Bill No. 611

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Kathleen J. Connors for the sale of Block 7-B, Lot 235 in the Twenty-First Ward of the City of Pittsburgh (RESALE FOR REHABILITATION)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

The Chair:

I have to attend another meeting so I would like Mr. Woods to finish the meeting today.

Michelle Madoff presented

Bill No. 679

Report of the Committee on Water for April 25, 1984 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 568

A Resolution entitled, "Resolution amending the Pittsburgh Code, Title Three - Water, by amending Article III - Water Distribution, Chapter 313 - Water Meters and Article VII - Assessment, Billing and Exonerations, Chapter 343 - Estimates and Appeals and Chapter 349, Exonerations."

Which was read.

Mr. Robinson:

Mr. President, I'd like to have my comments from last Wednesday included in the Record.

(REMARKS BELOW)

Michelle Madoff:

Likewise to be sure.

I am reluctantly voting aye. I am very concerned about what is happening in the abatements that are being written off the books that are legitimate tax dollars or fees that are being paid and picked up by other people because people aren't paying their bills simply because nobody reads their meter, sometimes for three years at a time. No matter what Mr. Daryl Smith says that happens to be fact and I can document it. I'm also reluctant because I voted against the Water Authority but I think that to keep the City running I don't really have a choice so I'll vote aye.

(REMARKS BELOW)

Mr. Wagner:

I vote aye and I'd also like my comments brought forward from last Wednesday's meeting.

(BEGINNING - MR. ROBINSON'S, MICHELLE MADOFF'S AND MR. WAGNER'S REMARKS ON BILL NO. 568 - WEDNESDAY, 4/25/84)

Michelle Madoff:

Is this a bookkeeping thing, just straightening out your records?

Mr. Schillo:

Yes.

Michelle Madoff:

I don't want to move on it; does somebody else want to? I don't move on anything for the Water Authority.

Mr. Wagner:

I'll move for approval.

Mr. Robinson:

Daryl, I just hav- a couple questions that we had raised with some concern about the meter readers, and hopefully you can identify what some of their legislative concerns are. I don't know if you had a chance to do that. How many meter readers do we have in the City?

Director Smith:

Nineteen.

Mr. Robinson:

The areas they cover, do they cover all 32 wards in the City of Pittsburgh?

Director Smith:

Yes, on a quarterly basis.

Mr. Robinson:

They are responsible for reading every meter in every ward in the City of Pittsburgh?

Director Smith:

That's right, on a quarterly basis.

Mr. Robinson:

Any sections in the City of Pittsburgh not read by City of Pittsburgh meter readers?

Director Smith:

Those sections not served by City of Pittsburgh, like South Hills.

Mr. Robinson:

Some not served?

Director Smith:

Those not served by City of Pittsburgh water.

Mr. Robinson:

That would have no impact on our exoneration process or anything; they are not served.

Director Smith:

That's right.

Mr. Robinson:

That is handled by someone else?

Director Smith:

That's right.

Mr. Robinson:

One of the concerns that has been raised I think is legislative, is whether or not these meter readers should, indeed, be required to read every meter quarterly as they are proposed to do. One of the things I think is important to

realize is, many of the meter readers are unable to get into the properties, and we all understand the importance of a person having control over their own property. If the meter reader goes to an address, rings the bell, knocks on the door, if they are not allowed to be admitted they can't read the meter. I think that is occurring in some instances. I think, also, there are probably some other physical impediments that prevent 19 people from covering 32 wards each quarter, just some real, live problems if they have 19 people and when you consider the number of meters that they have to read.

Also, a number of our meters are covered by dirt, by cement. These meter readers don't even know where the meters are and have no ability themselves to have those meters uncovered. Also, I think administratively we have to recognize there needs to be, if it is not already in place, a process by whatever difficulties meter readers are having reading those meters are identified and processed by your department and passed on to the appropriate parties. If it takes some court order or some action of our Law Department to get access to homes so meters can be read, then that needs to be done.

We also have another problem where there are persons who have waterline situations in their homes where it is not to their advantage to have a meter reader come into their home and read the meter because if the meter reader gets into their home or property they will probably find out that the property owner owes us money and any reading would not be to the property owner's advantage, so many of the estimates that we get are very inaccurate, but they are inaccurate in part because owners of the property would not allow entrance by meter readers. We need to identify that in fact we need to talk to some meter readers, we need to bring some of them here and talk to them about what is going on.

The other problems are, many of the properties in the City maybe at least one-third, are owned by persons who do not live on the property and, quite often, tenants are not as diligent as the property owner is in either making access to the property available to the meter reader and/or filling out the card that is left, so there is probably a number of instances where cards are left and are discarded; a number of instances where meter readers cannot get into the property; a number of instances where people intentionally prevent meter readers from getting in; and a lot of other situations which probably are adv rsely affecting our abilities to get the monies that we are rightfully due for metered water.

Nineteen people probably cannot do that job. One suggestion which Mrs. Madoff, I think, pushed strongly, was to require everybody in the City of Pittsburgh to have an outside meter. That is one way to begin to address the problem. But I think there are some other administrative things we are going to have to get at, and I still think it would be important for us to hear from some representative of the meter readers to get some perspective on the kinds of situations they have to face.

Mr. Wagner:

I have a few questions. First of all, I appreciate the information, Mr. Smith. Point of clarification, to my knowledge, we do not read the meters in all 32 wards in the City.

Director Smith:

No, it would not be 32 wards,

because the wards that are not serviced by the City of Pittsburgh water would not be read. In the South Hills area it would be read by West Penn Water.

Mr. Wagner:

Approximately how many meters do we read in this City?

Director Smith:

I couldn't tell you right off, but I could check to see how many we are reading. We have about 80,000 or more customers, but some of those are on a flat-rate basis.

Michelle Madoff:

Very small percentage.

Mr. Wagner:

About 6,000 on a flat-rate.

Director Smith:

Those we would not be reading, and when I say "reading", I certainly cannot say that all of those meters are being read. Those meters are included in the routes that are assigned to be read, but that doesn't mean that all of them are read.

Mr. Wagner:

The information you provided, the actual meters read are 58 percent.

Director Smith:

Right.

Mr. Wagner:

Mail cards returned, 13 percent.

Director Smith:

Right.

Mr. Wagner:

Which means a total of 71 percent we obtain a reading on. What happens to the other 29 percent?

Director Smith:

They are estimated. That does not necessarily mean that 29 percent are estimated throughout the life of that account. Some that we don't read this month or quarter we may read another quarter, okay, but that is kind of an average for a quarter.

Mr. Wagner:

Well, when is the cutoff point that if we have not read that meter for a period of time at what point do we stop estimating?

Director Smith:

We never stop estimating.

Mr. Wagner:

In other words, we could be estimating an account for 10 years?

Director Smith:

Absolutely. That's right, and it has happened. As I indicated there are the only steps that we currently take to try to avoid estimates is to advise accounts that their bill has not been read for four consecutive quarters and ask them to contact us.

I think Mr. Robinson's statement is well taken. Certainly some folks don't want to let us know that they have not been read or what their meter readings

are, and, also know we do need to take a hard look at our meter-reading process and how we go about making sure that at least all meters are read on a quarterly basis. There is certainly a lot of work needed to be done to make sure that happens.

Mr. Wagner:

Out of the 19 percent, I suspect some have not been read for years.

Director Smith:

I agree. There are probably some that may have not been read for 10 years.

Mr. Wagner:

If that is the case, are our estimates used on previous years used?

Director Smith:

Previous consumption, yes.

Mr. Wagner:

There is no estimates of expected increased use at that particular location?

Director Smith:

No, because we don't have any information. If we can't get to read the meter we, obviously, don't have much information about what is happening inside that particular structure, so we don't know whether the number of people there has changed from 4 to 6, or that an industrial location that may have been using very little water because of its previous use now uses considerable water because it is a different use. We don't have that information to make adjustment of the estimated bills.

Mr. Wagner:

Do we have any industrial locations that we are estimating?

Director Smith:

I couldn't tell you.

Mr. Wagner:

How can you check that?

Director Smith:

We would have to go back through all of our accounts to determine which are industrial and which ones have been estimated. At this point in time I just couldn't tell you.

Mr. Wagner:

My gut feeling is we are losing some dollars here on our estimated bills.

Director Smith:

I would agree with you wholeheartedly, that's why I said in the memo there we are making an effort to examine our meter-reading process and how we go about ensuring how they are read at least on a yearly basis, and we have begun to look at that now and work in terms of going forward. It is ust a matter of waiting.

Mr. Wagner:

I think it would benefit this City and Council and all involved for us to have a Post Agenda on that to determine exactly —

Michelle Madoff:

We have had four over the years.

Mr. Wagner:

We have?

Director Smith:

I think, again, we are trying to make some strides and certainly, would not be opposed to talking about it some more. Everybody has some ideas on how we can improve and that is what we want to do.

Mr. Wagner:

Have we contacted any of the other utility companies to find out how they get around the problem?

Michelle Madoff:

Yes.

Director Smith:

West Penn has remote readers.

Mr. Wagner:

When you say "remote", what do you mean?

Director Smith:

It is electricly tied to the meter inside the house and tied to the outside, so it is no longer necessary to gain access to read the meter. All the reader has to do is walk up to the outside, look at the dial and take that information. Some even go so far as to have a computerized billing situation instead of just having a reading on the outside of the house. They have a little box they hook up that automatically tabulates the water consumption for that period. They turn it in to a central location.

Mr. Wagner:

Have we looked into the estimated cost?

Director Smith:

That is one of the things we are trying to work on right now. We currently have some remote readers installed in the City of Pittsburgh, and in the past they have been paid for by the homeowners as opposed to the City of Pittsburgh, so there are a lot of factors that would have to be considered if we were to go to a process. Customers have already paid to have theirs installed, if a rebate should be considered for them because now we are installing them at our own expense. Certainly there appears to be, on the surface, some benefit to installing some kind of remote reading situation in all of our locations. At this point in time we haven't done a comprehensive analysis to know just what the cost benefit analysis would look like.

Mr. Wagner:

One last question about the new increase beginning in May of 14 percent. These 29 percent are the estimates, their bills will increase 14 percent also?

Director Smith:

That's right. That's right, but, again, it will be based on past consumption.

MR. GRABOWSKI COMMENTS

Director Smith:

I can't really tell you that. I don't know if we do or not.

Michelle Madoff:

No.

Director Smith:

We, traditionally, have not taken the responsibility to turn the water off, and I think perhaps because it has been a political tvpe of issue and not something that the adminstration, or perhaps Council, would want to —

Michelle Madoff:

State law prohibits us from doing it. We can penalize them.

Director Smith:

I'm not sure if that is the case. I am interested in notifying commercial customers. I would like to attempt to turn the water off, but at this point in time we have not done that. I think there was one; just in conversation someone said in the past 30 years we turned off the water to one account.

MR. GRABOWSKI COMMENTS

Director Smith:

I'd agree with you.

Michelle Madoff:

I would disagree with that vehemently.

Director Smith:

I would really love to have some kind of statement that says we could turn off water if we find there is someone trying to, perhaps, cheat the City out of some money.

Michelle Madoff:

I'm sorry to report that that is not the case; it is gross negligence and total incompetency in the meter reading division that has gone on for years. This has gone on for six years. Have you looked at the Wilkinsburg way of collecting meter readings? I would suggest before we have a meeting you look at what Wilkinsburg and some other communities are doing. They are doing it strictly by card, have no inspectors coming to the house and don't have the problems we have. What they do, if the law still is valid they can't turn it off, there is a penalty. We reason we have our abatements are not — I repeat, not — in the case of 99.99 percent with commercial accounts, they are with residential users who get zapped because nobody has bothered to knock on his door. They're in a hurry to get through the day.

People call me. As a matter of fact it has happened to me, because I raised the issue. Somebody came to my door two months in a row, and I was home, and they didn't ring my doorbell let alone read my meter. The percentage that are mailing them in I'll bet it doesn't come to 71, I'll bet some of them are also part of the 98 percent being read.

Director Smith:

We typically would not leave a card if we read a meter.

Michelle Madoff:

Let's assume the figure of 70 percent is correct. With today's society people are not home because they have to go to work and your readers are out during the time people are going to work. I think it is a tremendous injustice to say these poor people are deliberately

trying to cheat the City, but because people are not reading their meters, and they pay their estimates — they do pay every month — since we don't read them after three years they certainly get zapped because no one has read the meter.

Why can't we send out cards saying, "We will be at your home on such and such a date, please let us know if this time is convenient," then give them two or three choices so someone can be there to read the meter or have a key left. What we are doing is abating the money and the people, when the total comes in excessively, therefore, we will abate the money. It is not freeloaders, not people trying to cheat, it is negligence on the part of the City. Fact.

Mr. Robinson:

Just one question, Daryl. What legal efforts are we taking to gain access to property our meter readers cannot get into?

Director Smith:

At this point in time we have not taken any effort.

Mr. Robinson:

Have you explored possibilities with the Law Department on how to get access to property for meter readers?

Director Smith:

No.

Mr. Robinson:

It may be helpful to do that.

Director Smith:

I agree with you. Those are some of the things we have to consider. We are really in the very early stages of time.

Mr. Wagner:

Based on the information you just gave me, approximately 80,000 meters in the City, if you could just follow some arithmetic here with me, we have 20 meter readers?

Director Smith:

That's right — 19.

Mr. Wagner:

I have used 20 as an average.

Director Smith:

It makes it easier to divide.

Mr. Wagner:

Twenty into 80,000 goes 4,000. Those 20 meter readers have to read 4,000 meters every quarter.

Director Smith:

That's correct.

Mr. Wagner:

Or approximately 16,000 meters per year per meter reader.

Director Smith:

Okay. I assume your math is right.

Mr. Wagner:

Based on the average of 250 work days per year, divided into 16,000, you come up with an average number of meters read per meter reader of 64.

Director Smith:

(Nodded affirmatively.)

Mr. Wagner:

Based on the percent of meters read, which is 58 percent of 64, the average meter reader reads no more than 40 meters per working day.

Michelle Madoff:

That is correct.

Director Smith:

That is not a lot, but I would say to you that all of that sounds right, and perhaps, if nothing else, it tends to have one believe that 19 is a sufficient number, and the reason that the average does not, perhaps, work out well, as you present it, is because, first off, maybe 250 days is the right number — I'm not going to say — but when we start to make exceptions and go out and check certain meters because of problems and what not, the 43 that you may read on one day, if you were to use that and average it, it doesn't work out. We may only read 10 or 15 one day because we're trying to make special exceptions, and on a typical route from 100 to 120 to 200, depending on where the route is. So I think all that tells us is 19 is a reasonable number to expect to do the job.

Mr. Wagner:

What I'm suggesting here is that —

Director Smith:

We are not getting the work out.

Mr. Wagner:

Not getting the work out of the people. If we are only reading, if they have a workload of approximately 65 per day they are only getting the 40, the average amount of time per house, when you are talking about a house here, a house here, a house there, and in some buildings meters are lumped together in one location —

Director Smith:

Absolutely.

Mr. Wagner:

— where you can read 10 meters in five minutes

Director Smith:

We have a number of meters in a number of locations, we would expect somebody to read as many as 200 meters a day or more.

Mr. Wagner:

I think this City should have this type of information that is more accurate, the exact number of meters that we have, the number of employees reading them, the average per day, and whether or not that average per day is what we anticipate them to produce or the product they produce.

Director Smith:

Performance standards. I agree with you wholeheartedly. That is one of the things we intend to work on, develop some performance standards for the meter readers.

Mr. Wagner:

They are absolutely necessary, to make sure we are not losing dollars.

Michelle Madoff:

And check with Wilkinsburg to see how they do it.

Director Smith:

Certainly.

Michelle Madoff:

And remote readers can be bought by anybody. They used to be $15.00.

Director Smith:

It is now $30.00.

Michelle Madoff:

The cost of the actual remote is something like $70.00 to buy, so we only charge a fraction of the cost to the consumer, then put in the plumbing part ourselves. They don't pay for that, which is another cost to the City, and I think we might think about it for the protection of the person whose home has been invaded by someone posing as a meter reader, get them to pay for remote and let them pay it off over a number of years by assessing them some kind of money.

All this has been gone into many, many times. The Administration — Council proposes and the Administration disposes. The Administrtion has not been disposed to follow up on this and many other things.

(END - MR. ROBINSON'S, MICHELLE MADOFF'S AND MR. WAGNER'S REMARKS ON BILL NO. 568 - WEDNESDAY, 4/25/84)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't Pro tem)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

Bill No. 680

Report of the Committee on Parks and Recreation for April 25, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 601

A Resolution entitled, "Resolution for authorization to enter into an agreement or agreements for personal services in conjunction with the 1984 Festival, Senior Citizens, Special Events, and Concert Programs for the costs thereof, aggregate amount not to exceed $31,000.00, $13,000.00 from Code Account 1837, Special Events; and $5,000.00 from Code Account 1843, Senior Citizens, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 602

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Allegheny County Institutional District in connection with the Federal Area Plan for Programs on Aging providing for payment and reimbursements to the City by Allegheny County Institutional District for expenditures in connection with the Senior Citizens Program; providing for the payment of the City's share of the cost; providing for the deposit of funds."

Which was read.

Also,

Bill No. 603

A Resolution entitled, "Resolution providing for an Agreement or Agreements for professional services at the Pittsburgh Aqua Zoo and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 606

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Lower Hill Outreach YMCA to provide transportation for their Summer Day Camp Program, and transferring the sum of $3,000.00 from Code Account No. 10, Accounts Payable Prior Years, to Code Account No. 1838, Miscellaneous Services, Department of Parks and Recreation." **(SPONSORED BY MR. ROBINSON)**

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't Pro tem)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Wagner presented

Bill No. 681

Report of the Committee on Engineering and Construction for April 25, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 616

A Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for cleaning and sealing of marble on the first floor of the City-County Building in the general offices of the Treasurer and City Controller, and providing for payment of the cost thereof."

Which was read.

Also,

Bill No. 617

A Resolution entitled, "Resolution amending Resolution No. 485, effective May 26, 1982, entitled, 'Providing for an Agreement or Agreements, from time-to-time, with various Consultants, including but not limited to Construction, Mechanical, Electrical, and Geo-Technical, in connection with Renovations to Various Public Buildings; and providing for the payment of the costs thereof,' by increasing the total project allocation by Sixteen Thousand Six Hundred Forty Eight Dollars and Sixty Five Cents ($16,648.65)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't Pro tem)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmativ , the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. Vice-President, I think that it's important to bring to the attention of this body that last year before the Water Department became gobbledegook or goulash, because it's the same department with different names and the same people are just shifted around and then other people who worked our doors downstairs heading the Water Department, we agreed in this Council, through pressure that I had been exerting for five years, six years, and church groups and concerned citizens who had a hearing before this Council for the benefit of the colleagues who are not here, that we would do something about protecting the safety of our water, particularly the McNaugher and Brashear reservoirs where people are swimming.

Well, yesterday they were swimming again. I hate to raise the subject but if somebody with aids got into our drinking water or some other communicable disease and lesser diseases being ecoli you get from children in diapers so you know what I'm talking about, we could have a very serious problem in the City. It is not to be laughed at. If you had to go through what the people in McKeesport went through, it wouldn't be funnv.

We've tried everything. We've built fences; the fences have been ripped off and thrown into the reservoirs. It is now time to do what we said we were going to do and for which, I presume, we have budgeted. That was the issue that came up before budget. Do you remember that, Mr. Woods? We're going to have guards at the reservoirs to protect our drinking water and I want it in an hour.

I would like to make that in the

form of a resolution. I make that as a formal motion that the head of the Water Department be reminded that this Council voted, I believe unanimously, that we have guards starting this year — we didn't have the money in last year's budget — and hire guards immediately to protect our water reservoirs.

I make that as a motion. Can I have a second?

Mr. Robinson seconded the motion.

Mr. Wagner:

Discussion. That issue was brought up at the last Water and Sewage Authority meeting and one of the first actions of the Water and Sewage Authority, which will be created officially tomorrow, and a meeting the first board hearing after the official creation and on board is, I believe is, next Friday. I think that will be on the agenda as one of the most important issues.

Michelle Madoff:

I'm glad that you're going to carry the message but this Council still represents the public and we have a right to request that and we've budgeted the money. Whether they changed the name of the Water Department to Water Authority is irrelevant. I think it should be the will of this Council; we have no right to enforce it until the Authority does but we did budget the money and it is merely a request that they immediately start to enforce the will of this Council and then hopefully they'll just follow through. I'm afraid we cannot wait because we're having 85 degree weather and they're swimming now.

The Chair, Pro tem:

Michelle, if I may. I know we budgeted money to the Water Department; I remember much discussion on the issue you're talking about. I don't know if we —

Michelle Madoff:

Security guards; that's exactly what we decided.

The Chair, Pro tem:

We could pass the resolution and Mr. Wagner who sits on the Board could carry that for us on Friday, did you say, Jack?

Michelle Madoff:

It is already the law. I'm just reinforcing that we reactivate what we've committed ourselves to do. It's a will of Council. It's a floor motion, will of Council.

WHICH MOTION PREVAILED.

Michelle Madoff:

Second item. I have had numerous calls particularly from Mr. Aubrey Lee who I believe owns a restaurant called Alexander's Graham Bell. They feel they are losing $5,000 a week in revenues, $5,000, because of something that I vehemently opposed before it went in. It got through under the grandfathering clause and that was the Market Square Arcade. I'm sorry Mr. Stone isn't here. I knew that was going to be trouble in that area; it didn't belong in that area. I've just spoken to the owners and they admit it doesn't belong there, really; they're having terrible problems. I've talked to the police and the police said they've had to hire security, full-time police on certain nights, particularly good weather like this. It is a public nuisance. It is certainly not where we want people who are coming here for a convention, and I

believe my aide, Carmen Gunther, informed me this is the week we're having the largest convention in the history of Pittsburgh; you can't get a room within 50 miles of the City and we've got this kind of garbage going on in the Downtown Renaissance II.

I would like to have our Law Department look into shutting them down. They have become a terrible public nuisance. It's a floor motion that we investigate what is happening and if my allegations proved to be true, and I know they will, that they ought to be shut down before Mr. Lee and the owners of that operation have to go to court and spend their money. We created this monster and we have a responsibility to stop it.

That is a motion that we look into, through the Law Department, into finding out whether indeed this arcade is causing public havoc, disrupting the people walking by on the sidewalks, screaming, yelling, swearing, obscenities, stopping people from walking by, keeping people from the area and causing business and tax dollars to be generated for this City. If it costs the business $5,000 a week what are we losing? If that proves to be true, we take some action and shut them down. That's my motion.

The Chair, Pro tem:

So essentially, you're asking that the Law Department —

Michelle Madoff:

— Look into the possibility of shutting them down if the allegations are true, and I kow they are. I spoke to the owner and he said they're true.

The Chair, Pro tem:

Is there a second to that motion?

Hearing no second, the motion fails.

Michelle Madoff:

Sorry, folks, you're wrong, but that's alright. I've been alone before.

Mr. Robinson:

Mr. President and members of Council, I just have two items I'd like to share. One relates to the proposed sale of Warner Amex to TCI. About two weeks ago, I made a request with the approval of Council to our Solicitor to provide this Council with some information as to the procedures for us to accommodate a proposed sale and what role this Council and our Cable Advisory Committee would play in the proposed sale or transfer of that system. To date, we've had no response from the Solicitor's Office.

I would like the City Clerk to contact the Solicitor to see if he or any of his staff would be kind enough to prepare that information for us. The urgency, I think, is that on Wednesday, Council Bill 643, which I introduced, will be discussed and it specifically relates to Council initiating a study of the fiscal condition of the Warner Amex system.

I am also concerned because it's my understanding that some conversations have already been initiated between Warner Amex and TCI and City representatives. And I think rather than proceed without direction, that certainly this Council needs to know whether or not we have been officially and legally informed that Warner Amex plans to sell their system and whether or not it is appropriate for representatives of the

City of Pittsburgh to be engaged in conversations and procedures that relate to that potential sale. I think we could be getting ourselves in a very bad situation, one where we are not properly informed or legally informed, yet we have a legal role at any proposed sale of that system.

So, if the City Clerk could get that information, unless there's some objections from members of Council, I think that would be most helpful to Counci and it's potential deliberations around the sale or transfer of the system.

The Chair, Pro tem:

Mr. Robinson, do you want that information prior to Wednesday's meeting?

Mr. Robinson:

I would appreciate it if we could have that prior to Wednesday. I think if the City Clerk goes back through the Records from about two weeks ago, he will be able to pull out the specific request.

Michelle Madoff:

May I make a comment, Bill? I absolutely agree with Councilman Robinson. Every time the issue has been raised, I think by myself, the President of Council has said, "Well, you don't have a bill before us; therefore, we cannot address it." Then we end up in the same situation every time. You get twenty minutes, folks, because if you don't, everybody's cable is going to be shut off and they're going to say they'll take it under any conditions.

I know what Mr. Robinson has told you today is gospel. I know who they're talking to, what the deals are, what's been cut, and I know there's conversations and negotiations going on with the Administration, with Brother Richard. There are discussions going on. I would like to know why Councilwoman Masloff is not apprised of everything that happens, that's her department, and she in turn apprising us. I think she's being excluded from that. I don't think it's right.

What's going to happen is business as usual. Council will be notified — Guess what? Either you do this or else. I'm tired of it Bill. I'm tired of being told and I agree with you. We don't have a bill before us; we have a bill by virtue of the fact we got a letter informing us that they want to make that sale.

The Chair, Pro tem:

That's, I think —

Michelle Madoff:

You're here as the Vice-President, not as the President. If the President were there now he'd be shutting me up and saying, "We don't have a bill before us."

The Chair, Pro tem:

I think that's what Councilman Robinson is referring to. A letter from, or some information from Danny Pellegrini, asking was that notification, are we notified that they are for sure selling. That letter didn't really come right out and say that and that's what he is asking.

Michelle Madoff:

I think it came right out and said it.

The Chair, Pro tem:

Well, maybe we can read between the lines but it just didn't say that and I think that's the information he is requesting. We will have that, hopefully, by Wednesday, by the time we discuss your piece of legislation.

Michelle Madoff:

Mr. Woods, the letter says, I don't have it in front of me but boy I know that letter. It says we are currently negotiating with them and they're looking into buying it. What more do you want?

The Chair, Pro tem:

But it didn't say we are informing you we are selling Warner Cable.

Mr. Robinson:

On another matter, if I might; the Armour controversy, As Council is aware, there is some concern on the part of the City and former Armour workers as well as local elected officials who have been attempting to deal with this Armour controversy that the Armour plant in the West End will be closed and not operable, locally, either by local business people or by some national concern. I'm more specifically concerned at this point about any tax monies that are due to the City of Pittsburgh by the present owners of that facility, ConAgra. Without attempting to aggrevate an already tense situation, I think that it would be appropriate for our Law Department to m ve expeditiously to lien the property so that in the event we cannot get those monies that are due us prior to that plant being closed and totally inoperable, that we will at least have some physical property belonging to ConAgra that we can transform into cash money and get the taxes that are due us. I think it would be less than fair to the people of the City of Pittsburgh if our Solicitor did not move expeditiously to lien that property and at the same time attempt to receive the monies that are due us. It's approximately $53,000 and I'm sure that that pales in comparison to the millions of dollars that ConAgra has sunk into that plant and other plants. But that $53,000 does belong to the City of Pittsburgh; I think we're entitled to it, and inasmuch as ConAgra has decided to begin to move equipment out of the plant, it seems to me that we ought to move expeditiously to include our portion of any business with them. Once they move all the equipment, for all practical purposes that plant is not going to be able to operate and ConAgra will be off in Omaha or Nebraska somewhere, but the facility will still be here, the building will still be here. And I think that we owe it to ourselves to at least try to lien the property to put this whole situation into perspective.

If it is appropriate, I'd like to have the City Clerk forward a letter to Mr. Pellegrini expressing our concern that he take the appropriate actions to make sure that we secure all tax monies due us and also whatever other legal actions would be appropriate to make sure we can secure some collateral, some physical evidence that we could utilize if indeed we're unable to secure our tax monies from ConAgra.

The Chair, Pro tem:

I'd like to add one other thing. I beli-ve when we had that post agenda, didn't Danny say that the Treasurer's hearing was coming shortly, within the week after that?

So, I'd like to add in your letter what happened at the Treasurer's hearing, what was the outcome of it.

Mr. Robinson:

We need to be informed on that as quickly as possible because, if for no other reason, many of the former employees who would like to buy and operate that plant are at least depending upon us to try to do what we can to make sure that all parties are responsible, the former union members, ConAgra, and other interested parties.

Mr. Wagner:

Mr. Woods, I'd like to make a comment and a motion. We have talked on the floor and to some degree privately in the past, that Council form a committee to address the loss of jobs or plant shut-downs in the City of Pittsburgh. I don't think there's any member of Council that doesn't think the need for that exists. The problem is we've been talking about it for, I believe, two or three months and essentially we've done nothing about it.

This morning myself and Paul McDermott and representatives from the Engineering and Construction Department visited Clark Candy Company. We all know where Clark Candy Company is located, on the North Side; they've been in the City of Pittsburgh for 98 years. We brought along with us some engineering plans of the proposed highway going past Clark Candy Company. We found out today by going through those design specs for the highway that one of the two access roads for Clark Candy Company and their plant is going to be eliminated, which in itself, creates somewhat of a problem for Clark Candy to continue to operate efficiently at the present location.

The reason why I bring this up is that I think we need to have a group, several members of this Council, that can immediately address this type of problem as soon as we find it out. For this particular situation, we need to sit down immediately with PennDOT, with the designers of that highway, to address this problem and to make sure that we are not inconveniencing a company at full employment, which is employing 500 people in the City of Pittsburgh. We certainly do not want to lose these types of companies and we certainly must do everything that we can to keep them.

For that reason, I'd like to make a motion that we as a Council set up a committee immediately, within the next week or two, to address this type of problem and any type of problem in this City pertaining to the loss of jobs or plant shut-downs so that we can intervene in whatever way is necessary, whether it be through other governmental entities or with the companies themselves. I'm not indicating that this is the case with Clark Candy; all I'm saying is that situations like this can develop to a point where companies in this City feel that their is not any great concern for them here in the City. I think by setting up a committee of this type we can show the public that we are concerned and we do want to help in whatever way.

Mr. Robinson seconded the motion.

Michelle Madoff:

Discussion. I had raised my hand and what I was about to ask was very much in line with what you're doing, Mr. Wagner.

I know that this City, the Administration, has used, and I use the term used in the sense of the dictionary, used the Economy League to present their position. When they went out and found out a lot of things they were keeping from us as to how bad things were in this community, how taxes were

going to have to be raised, it was kept as a secret document. Only when I smoked out the document and they felt they couldn't hide it any longer did it become public record.

I think it's incumbent upon this Council to know what's really going on in this community. You see, what happens is that the hip bone is not attached to the thigh bone. We learn that Westinghouse is losing some people; we then learn that Dravo is going to get rid of their barge department; — It's all little pieces of a puzzle but we haven't put the whole picture together. I think we need a very quick study by the Economy League and we certainly should be able to get it rapidly because the one who did the study last time which showed that Pittsburgh is in big trouble, big, big trouble, with the almost $1 billion debt, we then turned around and hired the person who did the report, Mr. Turner, who said, "What I did wasn't right." He's now here so we hope the Economy League will come out with a report they're willing to stand by as they were behind that last report. They submitted it for an award amongst the Association of Leagues saying that what their finding were were very accurate. What the Administration tried to do was dilute it by hiring the person away.

We need a study to really give us some statistics. How many unemployed are there? We can get that from our own Finance Department because obviously we're going to have a lot less income this year in taxes, Mr. Woods, and that's going to effect your budget as head of the Finance Department. I don't think we ought to get that in November; we ought to have it now. It's the kind of thing that Mr. Robinson, Mr. O'Malley and others of us on Council have been asking for, Mr. Givens, early in the year, about this time, we're even late now. We should have started getting this information months ago so that we start knowing what we're going to have to deal with at budget time and it's going to be grim. What you're suggesting the Administration is not in our purview, that they are the Administrators, we are only the Legislators. You know, we legislate and they administrate. Obviously, what really happens is we propose and they dispose and whatever we do they're going to take glory for anyway and I don't care as long as people have jobs. I think the Administration is coming in and acting — When did they get involved with Gulf? After the fact. Where are they now with Papercraft? Where were they when I intervened on Equitable Gas? What did they do with Station Square? What did they do with Mesta and Mellon Bank? We, Councilmembers were the people who intervened on behalf of the public, not the Administration.

So, your point is well taken but I think we need some hard documented facts in order to function. I'd like to see this Council — We ought to have a resolution, Mike, for Monday that we commission a study that gives us some concept of where this City is going to be when we get to budget time. Some real hard documented facts. Would you agree with that, Mr. Woods?

The Chair, Pro tem:

Jack, your proposal for this committee, I'm whole heartedly going to vote in favor. The one you were talking about that we spoke about some months ago, only a few members of Council, the Commissioners, Congressmen, some State Senators and Legislators — I guess it hasn't materialized the way we hoped.

Michelle mentioned Papercraft which was out in Blawnox. I assume they're on their way out; they laid off 70 people a month ago and they're going to

get rid of another 70 this week or next week.

Something really has to be done so all in favor vote aye.

WHICH MOTION PREVAILED.

Michelle Madoff:

I'm going to introduce the resolution that we have a study, that we pay to have this study prepared for us or ask the Administration to pay for it. They have the money.

The Chair, Pro tem:

One other thing. I know we have two post agendas on Wednesday but I agreed to listen to Papercraft, a few people from Papercraft, on Wednesday also.

Michelle Madoff:

On that note, Mr. Woods, Papercraft was supposed to meet with me today at 12:30; they didn't show and I don't know what happened. Was there a general meeting of Council? Whatever. I did intervene for them with people because I know the Papercraft people very well and I got a message back that they have to go to the table first and negotiate at the table. They will not let us intervene.

Mr. Wagner:

One thing. Even though the vote is over on that, Mr.Woods, I agree with you. I just think that it takes this Council to initiate such a committee. It should consist of the Commissioners, it should be bi-partisan, it should consist of the URA, the Planning Department, the Engineering and Construction Department. I think we need a solid group of people that can react immediately to any potential problem.

The Chair, Pro tem:

I agree with you, Jack. Maybe if we, a few members of Council, get together and appoints this committee, then maybe some of these other people will take heed and say, "We better get involved also." I agree with you.

Michelle Madoff:

We need a Mayor who will do that, not after the fact.

Michelle Madoff moved to excuse Mr. Givens for absence from the meeting.

Mr. Wagner seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Wagner**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, May 7, 1984 No. 19

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, May 7, 1984

PRESENT:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't Pro tem)

ABSENT:

Mr. Givens
Mr. Stone

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mrs. Masloff presents

Bill No. 724 WHEREAS for the past 25 years Mrs. Nancy Frank has devoted her time and effort to the Allegheny County Adult Services/Area Agency on Aging Admisory Council; and

WHEREAS, Mrs. Frank also served as supervisor of services to the Aged, Jewish Family and Childrens Service; and

WHEREAS Mrs. Frank's geniune concern for the spiritual and social well-being of the elderly has contributed immeasurably to the quality of life of our area's senior citizens.

NOW THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City Council hereby extend sincere commendation to Mrs. Nancy Frank for her 25 years of dedication, devotion, and service to the elderly, which has enriched the lives of many and has enhanced the dignity and pride of our City.

Mrs. Masloff moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mrs. Masloff:

Mrs. Frank, nothing gives me as much pleasure as to present this.

Mrs. Frankl

It's inconceivable that one can have so much gratification from a job from working with colleagues, from working with various institutions, public and private, including the City of Pittsburgh and all who work for the City on behalf of the elderly. It's inconceivable that I could have had all this gratification and then finally end my career here in the Chambers of City Council. I have a very fertile imagination as my family and colleagues will attest to but even in my wild imagination I could never have dreamed that the final act of my career would be to accept this recognition; deserved or undeserved, I am taking it with gratitude and many thanks.

Mr. Wagner:

Mr. President and members of Council, 1983-84 has been a good year for the City of Pittsburgh; we've had quite a few championship basketball teams. As you know, a few weeks ago we had two grade schools, Ressurection and Our Lady of Loreto here; they won the grade school championships in the State of Pennsylvania.

Today we have two more teams, Seton LaSalle and North Catholic High School. I'd first like to ask Seton LaSalle to come forward for the reading of Resolution No. 395.

Mr. Wagner presents

Bill No. 725 WHEREAS, the Seton LaSalle High School Girls Basketball Team had an outstanding 1983-84 season with a record of 35 wins and 1 loss, which included a 29 game winning streak; and

WHEREAS, major victories of this season include the WPIAL Section 7 Championship; WPIAL District AAAA Championship; PIAA State AAAA Championship; and the Snowflake Invitational Tournament Championship; and

WHEREAS, individual standouts of this team are: Suzanne McConnell- named 1st Team Parade All American; Dapper Dan Female Athlete of the Year; Pittsburgh Post-Gazette Fabulous Five; and Pittsbugh Press Finest Five. Lisa Heuer - named Pittsburgh Press Terrific Twenty. And Head Coach Ben Hartman - named Pittsburgh Press Coach of the Year; and

WHEREAS, the other players that have formed what may be considered the best girls high school basketball team ever assembled are: Shelly DiPippa, Katie Summerville, Mary Sue Wantorek, Pam Wiseman, Kristin Trainor, Lynne Surdzial, Carol Vogel, Maureen Finocchi, Jean Foley, Kim Kollinger, Lisa Kozlowski, and also Student Managers Jan Wilson and Cheryl Micheli; and

WHEREAS, through their outstanding team play they have brought honor and prestige not only to their school but to the entire City of Pittsburgh.

NOW, THEREFORE,

BE IT RESOLVED that the Mayor and the Members of Pittsburgh City Council hereby extend sincere commendation to the Seton LaSalle High School Girls Basketball Team, Head Coach Ben Hartman and Assistant Coaches Marybeth Kulback and Don DiLucente for their brilliant display of basketball skills during the 1983-84 season.

BE IT FURTHER RESOLVED that this Council also congratulates Superintendent Father Hugh Lang; Principal, Brother Joseph Mahon, F.S.C.;

Assistant Principals James L. Palmer and Sr. Kathryn Palas; and Athletic Director Charles Rutter for their supportive efforts in helping to form the character necessary to make champions.

Mr. Wagner moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Wagner:

I'd now like to introduce the head coach of the team, Ben Hartman, and he could say a few words.

Mr. Hartman:

Thank you. On behalf of the Seton LaSalle faculty and the basketball players, we're quite honored to be here today. We're glad that you recognized our feats; it was a long season and I guess it always makes you feel good at the end when you accomplish something as fine as a State Championship.

Mr. Wagner pointed out a few things about our team; he compared us to one of the greatest basketball teams. Well, that's really a great honor but the people you're going to honor next we feel are right along side of us. This being our first year that we were in Quad A, for three years in a row we tried to get this far and North Catholic was always in our way so this year we sort of side-stepped them and went to a different division and we ended up the same weekend together.

So, I just want to thank you for having us here and appreciate the honor very much on behalf of myself, my assistants and our basketball team. Thank you.

Mr. Wagner:

We'd now like the other girls' championship basketball team, North Catholic High School, to please step forward.

Michelle Madoff:

We ought to change that from girls to young women.

Mr. Wagner and Mr. Woods present

Bill No. 726 WHEREAS, the North Catholic High School Girls Basketball Team displayed outstanding basketball talents during the 1983-84 season with a record of 30 wins and only 5 losses; and

WHEREAS, this team, known as the 'Trojanettes', captured the 1984 AAA State Championship, and the 1984 WPIAL AAA Championship; and

WHEREAS, the 'Trojanettes' won State Championship 2 years in a row (1983 and 1984), and also won State Championship in 1980, distinguishing them as the only girls team in Pennsylvania history to win 3 State Championships; and

WHEREAS, North Catholic has one of the most consistant basketball programs in area history, winning the WPIAL Championship 5 out of the last 7 years, and Section Championship 9 out of the last 10 years; and

WHEREAS, the members of the North Catholic 'Trojanettes' who helped to achieve these esteemed goals are: Wendy Winghart, Midge Kerrish, Barbara Kerrish, Kelly Murphy, Kim Johns, Monique Wade, Patty Sparrow, Sue Rojik, Cheryl Matschner, Patty Goetz, Judy Pavlasky, Sherri Bowman, Nancy DiLallo, Amy Santa, Katie Duty, and Lori Fischer; and

WHEREAS, through their brilliant basketball skills, the 'Trojanettes' have brought prestige and honor to their school and to the entire City of Pittsburgh.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City Council hereby extend sincere commendation to the North Catholic High School Girls Basketball Team, and Head Coach Don Barth, Assistant Coaches, Dr. Tony Brungo, Frank Windisch, and Kathy Hickey, and Managers Denise Stalter and Karen Dustovich on their outstanding regular season play and on their winning the AAA State Championship and the WPIAL AAA Championship.

BE IT FURTHER RESOLVED, that this Council wishes to recognize the efforts of Principal Dr. James DeTrude and Director of Athletics Don Graham for the support and inspiration they have given to these girls in helping them to achieve the honor of being called "CHAMPIONS".

Mr. Wagner moved to adopt the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. Wagner:

Doctor, would you like to say a few words?

Dr. DeTrude:

Mr. Wagner, Mr. President and members of Council, as the Principal of North Catholic High School, I am very proud to accept this resolution and we're extremely grateful, as Mr. Hartman has indicated, that the Council has taken its time to recognize the outstanding efforts of these young women, both at North Catholic High School and at Seton LaSalle, for the tremendous work that they and their coaches have put in to a tremendous season.

I'd like to mention also that, as many of you know and some may not know, that Coach Barth is a member of our City Police force and I'm very grateful as Principal that people like himself and Mr. Windisch and Mr. Brungo and Miss Hickey are in the position to be able to work with and guide these young people.

I can't tell you how proud I am of our North Catholic team and at the same time very, very proud and congratulate the Seton LaSalle team. They're two great competitors and I'm sure that probably they're glad they're in different sections but they work very hard and they've become great friends.

Thank you again for this outstanding honor.

The Chair, Pro tem:

We have one more resolution, if you will recall, at the post agenda last Wednesday on Papercraft and I believe that we're all sponsoring this resolution. We agreed we would for Papercraft.

Mr. Woods presents

Bill No. 727 WHEREAS, the management of Papercraft Company of Pittsburgh have demanded unreasonable concessions from their employees; and

WHEREAS, the employees of Papercraft Company have served the company with loyalty and dedication and are largely responsible for the company's prosperity; and

WHEREAS, negotiations have presently reached an impasse.

NOW, THEREFORE,

BE IT RESOLVED, that the Members of Pittsburgh City Council strongly urges the management of Papercraft Company to bargain in good faith with the union representing their employees in a constructive effort to come to a contract agreement which would prevent a possible closing and subsequent loss of jobs.

Mr. O'Malley moved to adopt the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

Michelle Madoff:

Discussion. Has anyone discussed this with Hy and Jo or any of the Papercraft people from this Council?

The Chair, Pro tem:

They were supposed to get back to us, Michelle, and they never did, with some type of resolution or some kind of wording that we've asked. We did agree that we would do this today and they didn't.

Michelle Madoff:

No, no. That's not what I asked you. Hy and Jo are the owners of Papercraft; it's a family owned company. I wanted to know whether any member of this Council has been in touch with any of those people. I tried to get through to them and I was cut off at the pass by somebody who said, I think it was the supervisor of the plant or an aide or something, saying that the problem has nothing to do with us and it should be negotiated at the table and the problem is at the table and they have to sit down and negotiate at the table. The impression I was given is that the employees didn't want to negotiate at the table and we know that's not true. I think this is just a lot of window dressing and it makes Council sound like we're really doing something and I don't think we're really doing anything for them.

I would like to see a telegram, a very strongly worded telegram, going out today to Hy and Jo and whoever else at Papercraft saying that we would like to meet with them and that we feel very much, as this resolution says, that they're not bargaining in good faith and that indeed their profits were made by the sweat of the brow of the people that work for them. We're not talking about a company that's losing money and coming to us to say we're in trouble; this is a company that had $26 million last year.

It's all very nice to honor people and take up time and say, "Aren't we wonderful, I'm recognizing people." It gets lots of votes. But if we're going to do something, let's not have window dressing; let's really do something.

I would like to amend this resolution to say that we will also have a strongly worded telegram or a call from Mr. Woods going out today to, I think it's Hy and Marshall is the son who is the acting president. Marshall is the son of Hy and Jo and and the cousins are all — it's a very incestuous kind of thing — and say "Council wants to meet with you." We don't want to just send you a little message that says, "Gee, wouldn't it be nice if you'd sit down in good faith and negotiate with these people. After all, they helped you." Nothing's going to happen; they're going to ignore us.

The Chair, Pro tem:

Michelle, if I could just interrupt you for a moment. I know I agree and I believe probably every member of Council agrees with you that a resolution is a wish of ours. There's not much we can do with Papercraft especially since they're outside the City. I don't know what we can do with any corporation or company that's even inside the City. Our hands are virtually tied and that's why at some later date that all of us have to discuss maybe some of these post agendas and different things, listening to groups, that we really have no control over. But they asked us to do this and that's why —

Michelle Madoff:

I don't think it's enough; I don't think it goes far enough. Are you willing to make the call or do you want me to make the call? Is this Council willing to sit down and meet with Papercraft? Are you willing to send a strongly worded telegram or make a phone call and say we want to sit down and talk to them, that we're appalled? This is not a company losing money; it's a company making tremendous profits.

The Chair, Pro tem:

Michelle, personally, I don't feel it would serve any purpose. I think the resolution, if we mail that to the particular individual saying how we feel —

Michelle Madoff:

I'll tell you why it would make a difference, Mr. Woods. May I tell you why it would make a difference?

The Chair, Pro tem:

Just let me finish. I don't believe we'd helping the cause that much by having them come in here, especially when they're not —

Michelle Madoff:

I'll go out there; I'm willing to go out there. It's not very far. The point that I'm making is that I am tired of seeing social work amongst the rich. Mr. Kossman, here we have the Katz' and other people. These industrial parks give tremendous incentives. There's UDAG loans, there's land made available at 55 cents a square foot. I could go back and show you records of many activities that have taken place.

There should be something in the future. Industries ought to be put on notice. People like Jay Aldridge from Penn Southwest ought to be put on notice that in the event this kind of thing occurs there will be a payback of some sort. That would then put the pressure of peer pressure on the Katz'; their own people. The word that I'm getting back because I've jokingly said, "Well, there goes my social life" because I know these people, I socialize with them and the word I'm getting back is that their peers think it's appalling. Their own friends think it's disgraceful. I think they need some peer pressure and I think we have to go out and say this is a disgrace and not just send a little wishy-washy resolution.

I amend this resolution to say, yes, we'll send it but in addition to which we'll make a call or send a telegram; we want to meet as soon as possible. Are you game? Does anybody second that?

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. O'Malley:

What was the motion again, Michelle?

Michelle Madoff:

The motion is that we, in addition to sending this resolution which means nothing, a strongly worded telegram asking for a meeting and telling that we send a delegation. We don't have to go nine strong or eight strong; I trust Mr. Woods to go and Mr. Robinson or whoever to represent me or if you want me to be there, fine. Just say that we want to sit down with them and tell them how appalled we are and tell them that what they're going to bring upon themselves and upon other industries in this community is controls and some restrictions and guidelines when we have industrial parks opening that when they do this kind of thing, earning huge profits, that they can't come to us without paybacks or something that we have to see. We have to have a meeting essentially. I know what you're going to say at the meeting but just sending a resolution isn't good enough.

Mr. Robinson:

I think that one of the things that we might want to concentrate on is Mr. Wagner's suggestion that some sort of committee be formed to address the very serious problem of plant closings and employee dislocation is our area. Obviously, this Council has become a forum for a great deal of community discontent and we are constantly being asked to try to mediate disputes between labor and management. While certainly there are a number of legal questions being raised about our ability to do it or even the propriety of us doing it, certainly the end result of these disputes usually has been negative for the City of Pittsburgh. We have either lost a plant and/or employees and it seems that there are some organizations in this community that are taking the leadership in attempting to stabilize our economy. One such organization is the Economic Development Committee which was created by the Allegheny Conference on community development. It might be wise for us in the process of thinking about creating the committee that Mr. Wagner has spoken about to have Hy Milton come in from the Economic Development Committee to sit with us in a post agenda or other appropriate form to seriously talk about economic stabilization in this area, the issues of plant closing, worker dislocation and some of the ideas about making Pittsburgh a center for high technology. I think Mrs. Madoff is right on target in terms of kinds of obligations that corporations have to us here in the City but I'm not quite sure that we have all the pieces to the puzzle. I'm not quite sure we're talking to the right people. Certainly the Economic Development Committee, when it was created a number of years ago, had as one of its purposes the identification of problems in present industry, including worker related problems as well as new economic opportunities for this area. I think that Economic Development Committee is composed of the types of people here in Allegheny County for directly involved in our present economy and those people would be involved in any future economy. It might do us good to get some perspective from Mr. Milton and his staff as to where this region is going. We've received reports and written communications about a number of conferences that have been held by the University of Pittsburgh, by the Allegheny Conference on Community Development, that relate to economic development in our area but this Council has yet to be involved formally in any process geared to revitalizing this area, yet we are now becoming the only form

available to dislocated workers where they ask us to indeed begin to deal with some wavy economic problems. I think the resolution today, the post agenda last Wednesday and some of the other concerns that we've had to address are only symptoms of a very large problem. As opposed to being part of the solution, it appears that we're going to become a part of the problem itself if for no other reason we're not going to be able to produce, we're not going to be able to solve the problem. And instead of many of those workers coming here looking for help, they're going to come here to accuse and to perhaps attack us. I think it would be most unfortunate if we simply sit around and only pass resolutions and not attempt to bring in some of the people who are actively involved in changing our City economically and doing it quite often without our knowledge and certainly without our input, yet we are receiving the backwash, so to speak, of many things that are going on. I'm sure that the Economic Development League is aware of the situation of Papercraft; I'm sure they're very much chagrin that perhaps Papercraft will leave town. But they're also engaged in trying to bring other companies here.

So, I just wanted to leave those thoughts with members of Council and very strongly urge us to bring into these Council Chambers the Captains of Industry and others who are working on changing our community to find out where we fit in.

Michelle Madoff:

You know, I think it's really a very sad day and a very sad commentary. You know, every time this Council tries to do something, Mr. Robinson, as you pointed out, we're the scapegoates. You know, one of the services we offer as Councilpeople is scapegoating for the Administration. We propose and they dispose.

We shouldn't even be having this conversation. These people who are dislocated workers, of which you might recall, 50 percent did live in the City, Mr. Woods, came to us, did not go to the Mayor. And when they went to the Mayor it was so late in the day it was ridiculous; he's going to make a phone call, he's going to try to do something. Gulf is another example. We could go on endlessly of how the Administration waits to see which way the wind is going to blow, who he is going to offend with the Allegheny Conference or the Chamber of Commerce or what have you. You're right. We are the only forum and for us to issue a resolution that's only window dressing is almost an insult. I got actively involved, verbally involved — they could have killed me with looks — with Equitable Gas strike. Granted, they didn't get what they wanted but the men and women, they were mostly men, went back to work with dignity. They got their jobs back. I had 513 people offer to move me and paint my house and I said I don't take any perks of that nature.

The point I'm making is that we just can't pass this resolution. Let us go and express our displeasure in no uncertain terms. What Mr. Woods said here in Council the other day I want him to say it to their faces. You're not afraid to do that are you?

The Chair, Pro tem:

No I'm not, Michelle.

Michelle Madoff:

And I'm not afraid to say you're one of the largest philantropic groups in the City; how about doing some charity work amongst your employees and that you're

really not being a good neighbor in this community and you're really bringing shame on Pittsburgh and on this community. And then I think the point you raised, Councilman Robinson, is that the Chamber of Commerce, for example, I just got their literature, I have arranged for those members of Council who would like to join the Chamber After Dark, an evening thing they have, and they have all kinds of sessions, I think it's $200 a year or something and we get a special group rate here — Mike, you've got the material on it — I just looked at the material today and they're addressing the issues that you've talked about, seminars on jobs, retraining, how to operate more efficiently, how we could solve some of the problems. That's one avenue and you're right; why wasn't this Council invited by Pitt? Why did we read about it in the papers afterwards? Because we're sort of like, well — You go to a public meeting and you'll find that your Congressman, your Senator, your Legislators in Harrisburg are introduced and the Mayor is introduced. Rarely do they even acknowledge that a Councilperson is there because we're really not very important, but we do the scapegoating and we're the ones that people come to. And you're right Bill, when it doesn't happen they say, "See, what are you doing about jobs?" Well here's our time to stand up and be counted. And it will hurt me more personally, my personal life, than any other member of this Council. I'm saying let's say to them, "We're ashamed of you; you're a disgrace." We don't like it and we want to do it eyeball to eyeball. That's my motion.

The Chair, Pro tem:

I'm glad everyone feels that way, that these resolutions don't mean anything. I've felt that way for quite some time. Everytime a member of Council brought it up or when SNAC would come in an ask us to pass a resolution with Papercraft, I told them right at the table last Wednesday it didn't mean anything. I'm glad everyone agrees with that; we finally got that out of the way.

All in favor of this resolution?

Michelle Madoff:

I amended the resolution, Mr. Woods, to include —

The Chair, Pro tem:

That was already passed. Now we have to act on the resolution.

Michelle Madoff:

On the resolution, I'm just saying that we meet with them eyeball to eyeball and that a telegram or a letter of great displeasure asking that we meet to tell them how we feel be sent out.

The Chair, Pro tem:

All in favor?

WHICH MOTION PREVAILED.

Michelle Madoff:

Now when are we going to do it?

The Chair, Pro tem:

As soon as Mike can get that telegram sent out.

Michelle Madoff:

Ben, why don't you do that by telephone today. We have such little time; why don't you do it right after session. And let's have a committee right now. Invite every member of Council who can possibly make it if they

don't have a conflict of schedule.

The Chair, Pro tem:

Mike, send the telegram, please.

Mr. Wagner:

In regard to Papercraft, I agree that we should move and we should try to do something. However, there is that growing need for this Council to at least start to initiate a committee. I'm not saying a committee consisting entirely of elected officials; I'm saying a committee consisting of respected people in the corporate community that care about the City of Pittsburgh, that want to stay in the City of Pittsburgh, people that are influential from a management point of view that could also be helping when situations like this arise. I don't think just this Council can accomplish what we're trying to accomplish. We need influential people from all areas, private, possibly labor, possibly government, and I'm hoping that we will move expeditiously to form a committee of that type in the near future.

Michelle Madoff:

I second the motion and I must ask a question. Where is our Mayor? Why hasn't he done this? We have Mr. Pease of the Conference, we have the Chamber, we have Penn Southwest, Jay Aldridge, we have Hyde Milton, we have Robbin who is the architect. You know, it reminds me of Moses, wanted to pave, cement the whole city. Where are these leaders? We need a new Mayor.

The Chair, Pro tem:

Thank you.

Mr. O'Malley presented

No. 686 Resolution providing for the issuance of a warrant in favor of Allegheny Fence Construction Company, Inc., 4301 Irvine Street, Pgh., PA 15207, in the amount of $1,200.00 in payment for Emergency Gate Repair work furnished for the benefit of the City in connection with the City of Pittsburgh Tow Pound, chargeable to and payable from Code Account 1447, Index Code 144709, Misc. Services, Department of Police.

Also,

No. 687 Resolution providing for the issuance of a warrant to Marine Midland Bank, P.O. Box 6962, Buffalo, NY 14240, in the amount of $1,870.00 for refund of excess auction proceeds over the accumulated towing and storage charges.

Which were read and referred to the Committee on Finance.

Also,

No. 688 Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the purchase and delivery of self contained breathing aparatus for the Dept. of Emergency Medical Services, at a cost not to exceed $59,000.00 chargeable to and payable from Code Account EMSTPP, Emergency Medical Services Third Party Payer Trust Fund, Index Code 251959.

Also,

No. 689 Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the purchase and delivery of two rescue truck modules for the Dept. of Emergency Medical Services, at a cost not to exceed $60,000.00 chargeable to and payable from Code Account EMSTPP, Emergency Medical Services

Third Party Payer Trust Fund, Index Code 251959.

Which were read and referred to the Committee on General Services.

Also,

No. 690 Resolution authorizing an Agreement or Agreements with The Western Union Telegraph Company for the purpose of establishing a procedure for the payment of fines and costs associated with traffic and parking law violations by the use of credit cards, and creating an interest bearing checking account for the deposit of any funds received in payment of said funds and costs.

Also,

No. 691 Resolution amending Res. No. 705, approved August 8, 1983, effective August 25, 1983, entitled, "Providing for an Agreement or Agreements with the University Health Center of Pittsburgh/Center for Emergency Medicine for Medical Operations Direction in connection with the Dept. of Emergency Medical Services, at a cost not to exceed $25,000.00 chargeable to and payable from Code Account No. 1421, EMS Misc. Services, Index Code 142109.

Also,

No. 692 Communication from Charles Lewis, Chief, Pittsburgh Fire Department, requesting authorization for Paul J. Imhoff, Superintendent, Bureau of Building Inspection, Dept. of Fire, to attend a meeting of the Association of Major City Building Officials in New Orleans, Louisiana, May 24-25, 1984, at a cost not to exceed $850.00 payable from Code Account No. 1476, Misc. Services, Dept. of Fire, Bureau of Building Inspection.

Also,

No. 693 Communication from Charles Lewis, Chief, Pittsburgh Fire Department, requesting authorization for Eugene L. Thomas to attend workshops for the courses of Hazardous Materials Incident Analysis and Hazardous Materials: The Pesticide Challenge in Emmitsburg, Maryland on June 17-24, 1984, at a cost not to exceed $250.00 payable from Code Account No. 1463, Misc. Services and Repairs, Dept. of Fire. Permission is also requested for use of a Fire Department vehicle.

Which were severally read and referred to the Committee on Public Safety.

Mr. Robinson presented

No. 694 Resolution providing for an Agreement(s) with the Health & Welfare Planning Association for the City's share of the Community Education Pittsburgh Project, at a cost not to exceed $7,500.00 chargeable to and payable from 4-35-01-0002-83-50-83-35 (CP83-02), Index Code Number 220202.

Also,

No. 695 Resolution providing for the issuance of a Certificate of Appropriateness for the exterior work on certain residential structures in the Manchester Historic District and for exterior work on certain residential structures in the Mexican War Streets.

Also,

No. 696 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to enter into a Grant Agreement with Steve Catranel Construction Company, Inc., for an amount not to exceed $5,050.00 from the Neighborhood Housing Fund for site improvement work in connection with

the the Bloomfield/Garfield Neighborhood Housing Program in the 10th Ward of the City of Pittsburgh.

Also,

No. 697 Resolution approving Modification No. 4 (dated March, 1984) to the Redevelopment Area Plan - Urban Renewal Plan for Redevelopment Area No. 15, Woods Run Project.

Also,

No. 698 Resolution approving the sale of Parcel 30A (1407-09-11 Adams) in the 21st Ward of the City of Pittsburgh by and between the Urban Redevelopment Authority and John W. Palarino and Francis A. Brochetti for $1,900.00 — Redevelopment Area No. 27. (Resale for Rehabilitation)

Also,

No. 699 Resolution approving the sale of Parcel 244F (1408-1406 Hopkins) in the 21st Ward of the City of Pittsburgh by and between the Urban Redevelopment Authority and Stanford E. White for $340.00 — Redevelopment Area No. 27. (Parking)

Also,

No. 700 Resolution approving execution of Contracts by and between the Urban Redevelopment Authority and various Redevelopers for the sale of properties in the 3rd, 10th, 12th, 13th, and 18th Wards — Residential Land Reserve Fund (Urban Homesteading Rehabs.)

Also,

No. 701 Resolution authorizing execution of a Dispositon Contract by and between the Urban Redevelopment Authority and Eugene Thomas, Jr., for the sale of Block 22-F, Lot 283A and Block 22-K, Lot 37 in the 21st Ward of the City of Pittsburgh for $625.00 — Residential Land Reserve Fund (1306-1304 Lake). (Parking)

Also,

No. 702 Resolution approving execution of a Disposition Contract by and between the Urban Redevelopment Authority and Richard L. Fugini for the sale of Block 46-G, Lot 232 in the 6th Ward — Residential Land Reserve Fund (420 E. Burgess) in the amount of $150.00. (Sideyard)

Also,

No. 703 Resolution approving execution of a Dispositon Contract by and between the Urban Redevelopment Authority and Raymond L. Barringer, Jr., and Alane L. Barringer for the sale of Block 76-J, Lot 339 in the 27th Ward of the City of Pittsburgh — Residential Land Reserve Fund (13 Courtwright), in the amount of $300.00. (Resale for Rehabilitation)

Also,

No. 704 Resolution approving the sale of Block 175-C, Lot 21 (7627 Mulford) in the 13th Ward of the City of Pittsburgh by and between the Urban Redevelopment Authority and Charles Green for $100.00 — Great House Sale. (Sideyard)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 705 Resolution providing for an Agreement or Agreements with the John F. Kennedy Memorial Youth League, Inc., for the performance of

professional services in connection with their 1984 Football Program, at a cost not to exceed $2,340.00 chargeable to and payable from Code Account 1838, Dept. of Parks and Recreation; and transferring the sum of $2,340.00 from Code Account 10, Accounts Payable, Prior Years, to Code Account 1838, Dept. of Parks and Recreation. — **(SPONSORED BY MR. WAGNER)**

Which was read and referred to the Committee on Parks and Recreation.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also,

No. 706 Resolution transferring the sum of $85,270.00 from Code Account 30, Refunds - All Other Taxes, to the following Code Accounts all within the Dept. of Engineering and Construction: 1482, Misc. Services - $41,320.00; 1484 Supplies - $15,000.00; and 1490 Equipment - $28,950.00.

Which was read and referred to the Committee on Finance.

Also,

No. 707 Resolution further amending Res. No. 1218, eff. December 31, 1979, as amended by Res. No. 78, eff. February 22, 1980, entitled, "A Resolution providing for a Contract or Contracts for Engineering and Architectural Services for Grant Street and Liberty Avenue Design, Fort Pitt to Liberty, Seventh to Twelfth, providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Dept. of Transportation, by increasing the total project allocation from $547,633.92 to $772,633.92 payable from Code Account No. PW 81-13, Grant Street - Liberty Avenue.

Also,

No. 708 Resolution providing for a Contract or Contracts and/or the use of existing Contracts in connection with Renovations to Present Heating/Ventilating/Air Conditioning Systems at No. 2 Police Station, Centre Avenue and Devilliers Street, Pittsburgh, at a cost not to exceed $55,000.00.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Wagner for Mr. Woods presented

No. 709 Resolution amending Res. No. 1165, enacted December 19, 1983, entitled, "A Resolution of the City of Pittsburgh authorizing the City to increase its lease rental debt by entering into a Supporting Agreement with the Public Auditorium Authority of Pittsburgh and Allegheny County requiring annual payments of the City of Pittsburgh of one-half of the principal and interest of said Authority's Auditorium Bonds, Series D, which will be issued by the Authority in the aggregate principal amount of $7,500,000.00," by setting forth the debt service schedule of the bonds.

Which was read and referred to the Committee on Finance.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day

following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Robinson:

What will these bonds be used for? Does it say?

The Chair, Pro tem:

Grant Street.

Mr. Robinson:

For Grant Street?

Mr. Perry:

The Stanley Theatre Project, I believe.

The Chair, Pro tem:

We approved that in December of '83 and now they're going to go out for sale. Is that for the Grant Street Project?

Mr. Robinson:

Correct me if I'm wrong. There's something mentioned about the Auditorium Authority. I don't believe those bonds are for Grant Street.

Mr. Perry:

It's the Stanley Theatre Project.

Mr. Robinson:

But the Grant Street Project and the Stanley Theatre Project are two separate things.

The Chair, Pro tem:

It's the Stanley Theatre Project; I'm sorry.

Michelle Madoff:

How much?

Mr. Perry:

I believe they're going out for a $7 million bond.

The Chair, Pro tem:

We approved that in December of '83.

Michelle Madoff:

The City is going to go out for the bond? They're going to reimburse us? How's it going to work?

The Chair, Pro tem:

We're going to discuss this on Wednesday.

Mr. O'Malley:

All Councilmembers will have until next Wednesday to get all the adquate information.

Also,

No. 710 Resolution providing for a License Agreement with Bell of Pennsylvania for the installation and maintenance of a conduit system and other underground appurtenances on City property in the 23rd Ward.

Also,

No. 711 Resolution authorizing the sale of property in the 13th Ward of the City of Pittsburgh, located on North

Lang Avenue, being part of Block 125 S, Lot 150, to the Port Authority of Allegheny County, for the sum of $2,200.00.

Also,

No. 712 Resolution authorizing the Mayor and the Director of Finance, on behalf of the City of Pittsburgh, County of Allegheny and School District of Pittsburgh to transfer its rights, title and interest, if any, for certain Three Taxing Bodies' property in various wards to Port Authority of Allegheny County. Deeds to be in Quit Claim form for a total consideration of $1,316.00.

Also,

No. 713 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended.

Also,

No. 714 Resolution repealing Resolutions, approved on various dates for sale of property in various wards of the City of Pittsburgh. Resolution is to cancel sales and forfeit the hand money.

Also,

No. 715 Resolution repealing Item B of Res. No. 896, approved October 14, 1983, for the sale of a 2 Sty. Fra. Hse. at 2825 Webster Avenue, 5th Ward, Block and Lot 10-D-140, to Clarence T. & Thelma Scott (mother) for the sum of $2,000.00. Resolution is to repeal sale and return the hand money. Building being razed.

Also,

No. 716 Resolution repealing Item B of Res. No. 229, approved April 3, 1984, for the sale of a 2-1/2 Sty. Fra. Hse. at 222 Dunseith Street, 4th Ward, Block and Lot 28-A-156 to Breachmenders, Inc., for the sum of $1,000.00. Resolution is to repeal sale and return the hand money. Property being redeemed.

Also,

No. 717 Resolution amending Item G of Res. No. 14, appr. January 31, 1984, for the sale of a 2-1/2 Sty. Hse. on 409-11 Rosedale Street, 13th Ward, to Rufus & Laura Poindexter (W.) for the sum of $1,400.00. Block and Lot 175-G-214. Amendment is to reduce price of sale.

Also,

No. 718 Resolution repealing Item I of Res. No. 989, appr. October 8, 1982 for the sale of 3-2 Sty. Brk. Dup. Hses. at 1605-07-09 Brighton Place, 25th Ward, Block and Lot 22-H-223, to Kirk T. Webster & Chris D. Law, for $1,500.00. Resolution is to repeam sale and return the hand money.

Also,

No. 719 Communication from Melanie Smith, Director, Dept. of Personnel and Civil Service, requesting authorization for Georgine Scarpino to attend a meeting of the Pennsylvania Rehabilitation Association in Harrisburg, PA on May 10-11, 1984, at a cost not to exceed $200.00 payable from the JTPA-1 Trust Fund, federal funds. Ms. Scarpino has been asked to attend to receive an award for the City's Job Training Partnership Act Programs' service to the handicapped.

Which were severally read and referred to the Committee on Finance.

UNFINISHED BUSINESS

Michelle Madoff:

I would like to have prepared for us, Mike, before Wednesday, I'd like it for Monday, the debt service each year, the total debt of the City, just very quickly, what the unfunded pension is, workmen's comp, fixed data on capital borrowing, fixed interest on the borrowing to date. My last figure was over $800,000; we're approaching $1 billion and I think we're closer to it because I think on the workmen's comp it's over 40. We did borrow some more money even though we paid off $3 million. I want to know how much we're paying a year; what percentage of our budget we're paying a year which is — and Mr. Buckley should be able to get us a lot of this information — what percentage of the debt is paid as our debt service each year, and what, if any, dollars are going to be borrowed in addition this year in addition to these monies that are borrowed, and what status it's going to put the City on, and I don't want any rhetoric from our Finance Chairman. I want just the numbers, just the facts. I want them very simply, just those simple numbers. The item I asked for and the number.

REPORTS OF COMMITTEES

Mr. Wagner for Mr. Woods presented

Bill No. 720

Report of the Committee on Finance for May 2, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 621

A Resolution entitled, "Resolution amending the 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, and 1983 Community Development Capital Budgets to renumber project code accounts to reflect the reorganization creating the Department of Engineering and Construction." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Grabowski:

Mr. Woods, since you're acting as the President, are you permitted to discuss bills that pertain to Finance?

The Chair, Pro tem:

Yes.

Mr. Grabowski:

Alright, regarding Bill 621, most of these bills, well, there's a number of them that are from 1976, 1977, 1978, and I would think that these project should be completed by now and I'm wondering why there is, in fact, still money in the accounts if, in fact, there is money in the accounts. There's no dollar figures here.

The Chair, Pro tem:

Most of the projects are not completed and all it is is to create the new department of Engineering and Construction, it's renumbering the accounts.

Mr. Grabowski:

Phoenix Hill?

The Chair, Pro tem:

Some are and some are not.

Mr. Grabowski:

Alright, well the ones that are completed, why would we be changing accounts?

The Chair, Pro tem:

There could be money taken out of them from other accounts, there could have been a surplus in those accounts, be closing out the accounts. What it is is a house cleaning bill, Mr. Grabowski. Renumbering the accounts.

Mr. Grabowski:

I would think that if we're renumbering accounts, there's still money left in these various accounts. And if there's a project that's already completed, why would we be carrying forth that old balance in that old account?

The Chair, Pro tem:

I don't know what projects are completed on there, Mr. Grabowski. Which ones do you know —

Mr. Grabowski:

Well, like Phoenix Hill, for one. I thought that was a project that was completed years ago.

Mr. Wagner:

I think Mr. Grabowski is bringing up an excellent point. The status of various projects, whether or not there's still work needed to be done on those projects, whether or not there's money in the account to do that work, I think that our Departments in the City have been lax in providing information along with legislation. I understand his point; I think it's a valid point and with each account name here, for instance, Warrington Avenue, we should know the status of those projects or any other account number here, I think, prior to voting on it.

Mr. Grabowski:

I move to recommit this bill.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also,

Bill No. 647

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Edward Simon and Company, in the amount of Two Thousand Four Hundred Ninety Two ($2,492.00) Dollars, in payment of an Emergency Contract furnished for the benefit of the City in connection with sound equipment and repairs at Schenely and South Side Ice Skating Rinks; and providing for the payment thereof."

Which was read.

Also,

Bill No. 649

A Resolution entitled, "Resolution providing for the issuance of a warrant to Rose Harris, c/o James E. DePasquale, Esquire, 1106 Fifth Avenue, Pittsburgh, Pennsylvania 15219, in the amount of $1,250.00 in full settlement of a claim for personal injuries and providing for the payment thereof."

Which was read.

The Chair, Pro tem:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't Pro tem)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 650

A Resolution entitled, "Resolution providing for an Agreement(s) between the City of Pittsburgh alone or with The School District of Pittsburgh and/or with the County of Allegheny and Real Estate Appraiser(s) for professional and consulting services in connection with the City's sale or acquisition of real estate and real estate tax assessment matters involving real estate in the City, and providing for the payment thereof."

Which was read.

Also,

Bill No. 669

A Resolution entitled, "Resolution authorizing the Council Task Force on Investment Policies and Business Practices, chaired by William Russell Robinson, to contract for professional services in an amount not to exceed Five Thousand ($5,000.00) Dollars."
—(SPONSORED BY MR. ROBINSON)

Which was read.

The Chair, Pro tem:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't Pro tem)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski for Mr. Givens presented

Bill No. 721

Report of the Committee on Public Works for May 2, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with a **NEGATIVE** recommendation,

Michelle Madoff:

May I have a ruling from the Parliamentarian? If I wish to withdraw the bill and hold it, am I able to do that today?

Parliamentarian:

You'd have to recommit to back to Committee right now.

Michelle Madoff:

I'd have to recommit it to Public Works?

Parliamentarian:

You'd have to recommit it at the Wednesday meeting.

Michelle Madoff:

How can I do that if I want to hold the bill today? How can I recommit it?

The Chair, Pro tem:

If you want to hold the bill, just ask that the bill be recommitted and if you get a second we'll vote on it and it's recommitted.

Michelle Madoff:

I want to explain why I want to recommit it.

The Chair, Pro tem:

Just a second. Let's read the bill first.

Bill No. 483

A Resolution entitled, "Resolution authorizing and directing the Director of the Department of Public Works to broadcast on the City of Pittsburgh's Government Channel all of Council's Post Agenda Meetings, which take place immediately following the Standing Committee Meetings of Council." — **(SPONSORED BY MICHELLE MADOFF)**

Which was read.

Michelle Madoff:

I'm going to move to recommit and I'd like to explain why.

Mr. Robinson seconded the motion.

Michelle Madoff:

Okay. The reason I'd like to recommit it is this feeling I'm getting from the people in this Council who believe in letting the sun shine in and letting the people know what's really going on is that they have no objections to having the post agendas of Council appear on the media or go over the Government Station. Their objection is to the forum and the format in which we conduct the meetings. Mr. Wagner has express opinion that there is no structure. Well, I'm not really concerned about the structure; I'm concerned about "Where's the beef?" At least the people are getting a feeling of what's really going on, the issues that we're addressing, and I don't think that they're non-productive; I think that nine times out of ten, something does happen.

I am willing to let it go and recommit it until we have a meeting to set up some structure. One of the suggestions was made that all Councilmembers — that there be no more post agendas, they'd be part of the general meetings so that they're all included, and if we do it as a post agenda we take a roll call and we agree in substance that that particular meeting has some importance.

For example, on the Papercraft hearing that we had that was not televised. I think it's a disgrace that it was not televised as a post agenda. Many times very important things happen, most of the important things happen that are post agendas, they're not just a number. For example, if we follow

up on Mr. Grabowski's concern on the bill, we may be addressing the individual account, what it was for, like Larimer Bridge, and was it an overrun and how much the money was. I think the public is entitled to that information.

My purpose in recommitting the bill is to have a meeting set up with Mr. Stone; he's been having, what is it, a monthly lunch that we're having, I didn't go to the last luncheon, and instead of talking about a lot of gobbledegook and how we're going to decorate and what the office is going to be and what the money is going to be spent for, I think it might be important that we say, "How do we set up a mechanism for addressing the issues that come up at post agendas and do it, since Mr. Wagner has a feeling and I'm not going to question him on it, I don't agree with it, I don't think it's very pertinent but if he feels strongly enough about it that it's structured, then let's structure it. But in some way, I think we are depriving the public of their right to know what really goes on here, the meat of what goes on in this Council. And it all happens at the post agendas and at the hearings.

So, I will postpone it, resubmit it and I will keep resubmitting it until we have a structure because if we vote on it today it goes down the tubes. I probably would have two votes for it. And I think that doesn't speak well for this Council.

Mr. Robinson:

Mr. President and members of Council, on the motion to recommit. I think one of the difficulties that we're still struggling with is perhaps understanding the structure that we already have within Council's rules to address some of the concerns that Mrs. Madoff wants us to face. I think her bill is very timely and, of course, I'm supportive of it. But Council rules already provide that there will be nine Committees of Council, each Committee shall have three members. I think implicit in that is that there will be meetings of those Committees. I raised this issue last year and the year before that. We do not now have nine Committees with three members each serving. That does not exist. We do not now have Committee Meetings. Because we don't have those structured Committees as required by our own rules, because we do not have members of Council attending Committee Meetings, many issues are addressed at post agenda sessions. Perhaps we should be a bit more diligent in making sure that our Committees are properly structured and that those Committees meet and that those Committees address most of the issues that come up at the post agendas. I think until we decide to do that we are going to be missing the point. And I think the point is that we have an obligation to conduct the City's business in a business-like fashion. Our rules, which we approve every two years, provide for that. If we are not going to follow our own rules then I think we're going to have a great deal of difficulty understanding what it is we're supposed to do here and how we're supposed to do it.

As far as post agendas being unstructured, our Council rules provide for the President of Council to preside, to appoint all Committees, to dissolve all Committees. The rules also provide for anyone who is chairing a meeting to basically set the agenda and set the rules consistent with our rules of Council. So, I don't think there's any problem in having orderly, organized post agenda meetings. Again, I think part of the reason that we don't have orderly, structured post agenda meetings, at least in the eyes of some members of Council, is because I think we're failing to recognize the rules that we already have

in place which give us our guide to how we should conduct our business.

I did introduce a bill into Council to try and get each Committee properly structured last year; there didn't appear to be any extreme interest on the part of members of Council to see that that happened at that time.

I, again, would encourage members of Council to refer to Council's rules. I would, again, encourage the leadership on this Council to so structure this Council so that we can conduct business in a business-like fashion and that we don't get diverted to issues that aren't issues. The issue isn't whether or not the public has a right to know; obviously, they have a right to know. And the issue isn't even whether or not we should televise post agenda meetings; it's obvious that we should televise any public business of this Council. I think the issue is that we, for whatever reasons, don't want to or can't structure ourselves in such a fashion that we can handle routine business, and post agenda issues are routine business of this Council.

I just wanted to put that on the Record and, hopefully, members of Council will think upon that and, hopefully, the leadership of this Council will attempt to straighten this matter out before we go too far afield.

Mr. Grabowski:

Mr. President, I'm opposed to recommitting this. I think that all aspects were covered at the Committee Meeting last week; the pros and the cons were well aired and this Council voted in the negative on this bill and I think we should dispose of it finally today.

Michelle Madoff:

My understanding, with all due respect, Councilman Grabowski, as some people told me that they were principally in agreement with the bill and they would like to see the post agendas televised but they felt there should be more structure to them. So, in the interest of not killing off the public's right to know, I am willing to postpone it until such time as we can restructure to their satisfaction. Mr. Stone said after he was elected as President that he would be meeting with all members of Council to discuss exactly that kind of item, how we would restructure — do you recall in the backroom — how we would restructure our post agendas and our hearings. Personally, from my perspective, when you have something of importance to discuss you call all the parties together, everybody identified themselves, and the proper questions are asked. Many things happen that are very positive. Sometimes you don't even have to change things. A good idea comes out but basically we learned at the hearing on house sales that many of the bills that I introduced have now, five years later, are effective and are working. I'm delighted and I think a lot of people need credit. It's not always to chastise and sometimes even to say thing's aren't — We don't know what's happening; we learn what's happening. There are people who say, "Well, you could go learn that on you own." But what we've seen in this Council, and every member of Council has stated time after time after time that we don't get answers. When we make requests from Department Heads, we just don't get answers. They don't think we're important enough to get answers. They're hired by the Administration. I firmly belive that we have to put all Council's business before the public and therefore we ought to hold it until such time as we can structure it to suit everybody on Council so that

nobody on Council is not going to be clearly in the public's eye or misunderstanding or understanding. Either you want the public to know what we're doing here or you don't. If you have an objection to how they're hearing, then let's revamp the style, the mechanism, the technique, to do it as part of Council, to restructure it in a format you want to do it, but let's not say, "We're going to keep the public from knowing what's going on."

Therefore, I want to recommit the bill and I have a second to recommit.

Mr. Wagner:

I'd like to comment. Obviously, I've made my opinion known pertaining to this issue in that I think that our post agendas are not structured. We don't have very simple requirements such as a roll call at our post agendas. I know all of you know as well as I do, quite often you'll be sitting at a post agenda and there will be two members of Council sitting there. I think that's an embarrassment to our Council and I'm not saying that Council is the reason for it. The reason for it, basically, is that all of us have not sat down and developed the guidelines that are necessary to make post agendas what they should be, to get something factual out of them, to get some commitments out of them, to address the problems that exist. I personally think that is the major problem. It's not whether or not they're televised; it's simply the manner in which they're conducted. It doesn't matter is they're held out here in the Council, in the Mayor's Conference Room, in one of our offices. It's simply the agenda. There is no agenda, there are no conclusions drawn and, as a result, no commitments made by just about anyone at the meetings to address the problems.

I personally am against this bill but I will bend somewhat and I will vote for recommitment but I will not vote for this bill until I see some type of structure developed in the future that can better address the problems and the main problem being that post agendas do not really benefit much at this point in time.

The Chair, Pro tem:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff	Mr. Wagner
Mr. Robinson	

AYES 3	NOES 4

VOTING NO:

Mr. Grabowski	Mr. O'Malley
Mrs. Masloff	Mr. Woods
	(Pres't Pro tem)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Michelle Madoff:

For the record, I think it's important to note that we could have resturctured this to satisfy everybody on this Council and that it is an obvious conclusion that this Council in a majority does not want the public's business publicly aired. I'd like that on the Record, please.

The Chair, Pro tem:

On the bill itself, vote no if you're

against the bill; if you're for the bill, vote yes.

The Chair, Pro tem:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff Mr. Robinson

AYES 2 NOES 5

VOTING NO:

Mr. Grabowski Mr. Wagner
Mrs. Masloff Mr. Woods
Mr. O'Malley (Pres't Pro tem)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Michelle Madoff:

I'd like to comment. I think it has passed and the public understands exactly what's going on in this room today.

Also, with an AFFIRMATIVE recommendation,

Bill No. 640

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Michael Trugan, Consultant for technical services in connection with the purchase of new or used heavy equipment; repairs to heavy equipment; inspection of heavy equipment; etc., and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski Mr. Robinson
Michelle Madoff Mr. Wagner
Mrs. Masloff Mr. Woods
Mr. O'Malley (Pres't Pro tem)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Robinson presented

Bill No. 722

Report of the Committee on Planning, Housing and Development for May 2, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 645

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh and its Historic Review Commission with the Commonwealth of Pennsylvania, Bureau of Historic Preservation for a $11,350

grant in connection with the Certified Local Government Program; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Historic Review Commission Certified Local Government Program Grant Project; providing for assurances providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and for providing for the deposit of the funds in a bank account."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't Pro tem)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Grabowski presented

Bill No. 723

Report of the Committee on General Services for May 2, 1984 transmitting one resolution and one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 641

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the purchase and delivery of Exhaust Analysis Systems for the Department of General Services, Code Account 4-30-01-0001-83, Index Code 370056, Miscellaneous Equipment, for payment thereof."

Which was read.

Michelle Madoff:

On Bill 641, Mr. President, you have clarified for me that that indeed was the $20,000 to test the equipment for exhausts on meeting the standards under the Clean Air Act, is that correct?

The Chair, Pro tem:

Yes, that's what I was told.

Michelle Madoff:

I would like to have for the record, and I will submit it, I think there's copy in my office, I obtained from the Allegheny County Air Pollution Bureau the numbers of violations, the times we've exceeded the standards on mobile sources and we've had practically none in the last five years.

(STATISTICS REQUESTED BY MICHELLE MADOFF)

Allegheny County is not in compliance with the National Ambient Air Quality Standard for Ozone. Emissions of nitrogen oxides and hydro-carbons from mobile sources contribute to the formation of ozone. Emissions of carbon monoxide from mobile sources contribute to violations of the national ambient air quality standards for this pollutant. The extent of the emissions from mobile sources is shown in the following data from the 1982 Emissions Inventory for Allegheny County.

Pollutant	Total Emissions All Sources - Tons	Mobile Source Emissions Tons	Mobile Source Emissions Percent of Total
Nitrogen Oxides	73,310	39,008	51%
Carbon Monoxide	436,336	415,659	95.5
Hydrocarbons	63,793	34,125	53.5

SF:pk
4/30/84

ALLEGHENY COUNTY HEALTH DEPARTMENT
BUREAU OF AIR POLLUTION CONTROL

8-Hour CO Violations at Downtown* (5890): 1981-1983
8-Hour Standard = 9.1 ppm

1981			1982			1983		
Mo/Day	8-Hr. Avg. (ppm)	% Above Std.	Mo/Day	8-Hr. Ave. (ppm)	% Above Std.	Mo/Day	8-Hr. Avg. (ppm)	% Above Std.
2/19	11.4	25%	12/14	10.8	19%	2/14	12.3	35%
10/26	9.2	1%				2/14	11.6	28%
11/2	9.5	4%				2/21	12.5	37%
11/4	9.2	1%				2/22	10.9	20%
11/5	9.2	1%				2/22	10.0	10%
						3/4	12.6	39%
						3/5	13.4	47%
						3/10	9.3	2%
						8/5	9.3	2%
						8/26	9.7	7%
TOTAL VIOLATIONS:								
8			1			10		

* Located at Court House

NOTE: Downtown had no one-hour violations and Oakland 3 (5709) had no 8-hour nor one-hour violations.

RAS:cag

ALLEGHENY COUNTY HEALTH DEPARTMENT
BUREAU OF AIR POLLUTION CONTROL

Ozone Violations: 1981-1983
One-Hour Standard - 0.124 ppm

Station Name: No.:	Brackenridge 1190	Penn Hills 5101	Lawrenceville 5701	S. Fayette 8090
Date:	7/12/81	6/29/81		
Max. Value:	0.132	0.127		
% Above Std.:	6%	2%		
(ppm)			—	—
	8/27/81	8/23/81		
1981	0.126	0.128		
	2%	3%		
		8/27/81		
		0.129		
		4%		
1982	—	—	—	7/15/82
				0.132
				12%
1983	6/27/83	—	—	—
	0.133			
	7%			
	7/27/83			
	0.132			
	6%			
	8/3/83			
	0.138			
	11%			
	9/3/83			
	0.141			
	14%			

RAS:cag

(END OF STATISTICS REQUESTED BY MICHELLE MADOFF)

Michelle Madoff:

I would like to share with this Council that I attended a dinner for Mr. Ruckles house. I have a meeting with him in Washington pending and I asked him why, I didn't want to embarrass him publicly, I asked him why Allegheny County, particularly Pittsburgh, was being forced to clean up and put in these costly controls on automobiles when we don't have a mobile source problem. He explained to me that the environmental movement has become sort of centralized in the Washington area and because of some of the indiscretions of the past EPA administration, the one he replaced, they were afraid to give discretionary powers to an administrator where he could say, "Well, if it's not dirty in this area you don't have to clean up." And so that the law of the Congress is just going to be enforced right across the board which is sort of silly and putting a tremendous burden where it doesn't belong, on an already overburdened, unemployed community.

I don't know that we can do anything about it but I did want to share that with you and I think somebody ought to publish the statistics as to the number of violtions from mobile sources.

I find it very difficult to vote for this bill and, I don't know, what do you do? We're going to vote $20,000 for a piece of equipment because we have to obey the law and the law in this instance, I don't believe, is correct and I think it does more harm to the environmental movement than it does good and I'm a long time environmentalist.

Also,

Bill No. 642

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title One - Administrative, Article VII - Procedures, Chapter 161, 'Contracts' by adding Section 161.20, 'Fuel Purchases'."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't Pro tem)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Robinson:

Mr. President, just two quick concerns, if I might. The first relates to the Western Restoration Center. I have a letter I'd like to read into the Record.

"Dear Mr. Robinson:

Governor Thornburgh asked that I respond to your recent letters regarding Western Restoration Center. As you may know, on March 27, 1984, Walter W. Cohen, Secretary of Public Welfare, announced his final decision to close Dixmont State Hospotal and Western Restoration Center.

Please be advised that comments received were considered in the decision-making process. The concerns and needs of patients and their families, hospital employees, and the community were dept foremost in mind before a decision was reached.

Following the closure of Western Restoration Center, the land and physical plant will be available for use by other state agencies through the Department of General Services. If the facility is surplus to state needs, it will become available to other governmental agencies and community organizations. I am not aware of any plan to covert this facility to a correctional facility. If you wish to present a proposal for alternate use of the facility, I would suggest you do so to both the Department of Public Welfare and the Department of General Services so that it may be considered during the transfer process.

Thank you for writing to express your views about this important matter.

Sincerely,

Scott H. Nelson, M.D."

Dr. Nelson is the Deputy Secretary for Mental Health for the Commonwealth of Pennsylvania, Department of Public Walfare.

The second concern relates to the Stanton Heights Shopping Center. Several weeks ago, a series of events occurred in the Stanton Heights Shopping Center in the 10th Ward of our City.

The result was the tragic and unfortunate death of a 15 year old boy. The related Coroner's Inquest highlighted the actions of two of this City's police officers, which further underscores the need to either improve the conditions at the Stanton Heights Shopping Center or develop a sound substantive plan to replace it or remove it.

For the past six years the Shopping Center has been the source of controversy, community tensions and death. It is not fair to Garfield residents or Stanton Heights residents or the City of Pittsburgh to allow the present condition to continue.

On May 15, 1984, Council will hold a public hearing on concerns of many residents of the Garfield community. At that time, I would encourage the appropriate agencies of City Government to address the issue of the Stanton Heights Shopping Center.

Michelle Madoff:

May 15 is what date, Bill?

Mr. Robinson:

Tuesday.

The Chair, Pro tem:

Thank you, Mr. Robinson.

Michelle Madoff:

I'm not going to take much time on this item but if most of the members of Council had the occasion to read the Pittsburgh Press on Sunday's front page and the editorial, it addressed itself to the problems of acid rain and the damage that it is doing to many of the states but predominantly to the state of Pennsylvania. We are suffering one of the worst — The damage is the greatest in our state. However, Canada is now going to go to many of the friendly foreign countries urging them to put pressure on the United States to clean up its acid rain. That, to me, is a disgrace. If that doesn't say we need to get rid of Reagan, I don't know what

does.

The Chair, Pro tem:

Thank you, Michelle.

Michelle Madoff moved to excuse Mr. Givens and Mr. Stone for absence from the meeting.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mrs. Masloff moved to approve the Minutes of Monday, April 16, 1984 and Monday, April 23, 1984.

Mr. O'Malley seconded the motion.

Which motion prevailed.

And on the motion of **Mr. O'Malley**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, May 14, 1984 No. 20

Municipal Record

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, May 14, 1984

PRESENT:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

ABSENT:

Mr. Givens
Michelle Madoff

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Wagner, Mr. O'Malley and Mr. Givens present

Bill No. 765 WHEREAS, the Mayor has proclaimed May 13 to May 19 as "Police Memorial Week" in the City of Pittsburgh; and

WHEREAS, this observance originated nearly 20 years ago when the United States Congress, at the prompting of President John F. Kennedy, designated May 15 as "Police Memorial Day"; and

WHEREAS, the purpose of this observance is to call upon the citizens to pay tribute to the brave police officers who, through their fortitude and courage, have lost their lives in the line of duty; and

WHEREAS, this Council realizes that police work is an extremely hazardous profession, and with the changing society is becoming increasingly dangerous; and

WHEREAS, since 1898, 52 Pittsburgh Police Officers were killed while safeguarding the rights and freedom of our citizenry, with Officer David Barr and Detective Norman Stewart being the most recent casualties in 1983; and

WHEREAS, this Council has always, and will continue to foster unity, respect, and support for our City's Police Officers.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City Council, hereby recognize May 13, 1984 to May 19, 1984, as "Police Memorial Week" in

the City of Pittsburgh in recognition and tribute to the Pittsburgh Police Officers who have made the supreme sacrifice of carrying the cause of justice to their graves, and inspiring all of us to reflect upon the dignity and value of human life.

Mr. Wagner moved to adopt the resolution.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. Wagner:

We have representing the F.O.P. Frank Walker here today. I would like to present one of these to you, Frank, and the other one is for the Superintendent of Police, Bob Coll.

Mr. Walker:

Mr. President and honorable members of City Council, on behalf of the Fraternal Order of Police and the Veterans' Police Association, we take great pride to see that City Council and the Mayor are honoring our deceased policemen.

Today there are many things that go on out in the streets as we had at the service yesterday out in the church. The streets of the City of Pittsburgh is getting like Vietnam. I'm speaking about the young policemen today; you're damned if you do and you're damned if you don't. But it's nice to see that at least our deceased brothers are honored.

Thank you.

Mrs. Masloff:

Mr. President, I don't know whether this is the right time to do this or not but I'd like to congratulate you, Bob, who, last week in Seattle, Washington, was elected the National President of the National Association of Regional Counsels. NARC is the nation's umbrella group of all regional counsels in the United States. The local group is SPRPC, Southwestern Pennsylvania Regional Planning Counsel and is composed of six southwest counties, composed of almost two and a half million people. Next year in June of '84, the National Association of Regional Counsels will hold their national conference in Pittsburgh.

Congratulations, Bob.

The Chair:

Thank you.

Mr. Grabowski for Mr. Givens presented

No. 728 Resolution amending Res. No. 203, approved March 17, 1982, eff. March 25, 1982, entitled, "Resolution providing for the authorization of an Agreement or Agreements or use of existing Agreements with Pennsylvania One Call System to provide the City with a Public Works Street Opening Information System", by establishing an Agreement or Agreements, or the use of existing Agreements, on a year to year basis, at a cost not to exceed the annual appropriation, chargeable to and payable from the designated Code Account.

Which was read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 729 Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the purchase and delivery of a flywheel grinder used for clutch assembly repairs, for the Dept. of General Services, at a cost not to exceed $6,700.00 payable from Code Account 4-30-01-0001-83,

Misc. Equipment, Various City Departments, Dept. of General Services.

Also,

No. 730 Communication from George W. Jacoby, Director, Dept. of General Services, requesting authorization for James Malloy to attend the Housekeeping Seminar sponsored by Service Engineering Associates, Inc. held at the William Penn Hotel in Pittsburgh, PA, June 21-22, 1984, at a cost not to exceed $350.00 payable from Code Account 1128, Misc. Services, Dept. of General Services.

Which were read and referred to the Committee on General Services.

Mrs. Masloff presented

No. 731 Resolution transferring the aggregate amount of $350,000.00 from Code Account 57 (005702) Social Security Fund in the Dept. of Finance to Code Account SPP (254359), Special Parks Programs the amount of $60,000.00 and to Code Account SSFSP (270256) Special Summer Food Service Program the amount of $290,000.00 in the Dept. of Finance.

Which was read and referred to the Committee on Finance.

Also,

No. 732 Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the furnishing and delivery of twenty (20) Rotary Mowers, at a cost not to exceed $10,900.00 payable from Code Account 1808 (180802), Equipment, Dept. of Parks and Recreation.

Which was read and referred to the Committee on General Services.

Also,

No. 733 Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting authorization for Wendy S. Bell and Marianne Zebroski to visit the Columbus and Cincinnati Zoos on May 10-11, 1984, at a cost not to exceed $500.00 payable from Code Account 1801, Misc. Services, Dept. of Parks and Recreation. Prior approval granted by Council on May 4, 1984. Use of a City vehicle is also requested.

Also,

No. 734 Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting authorization for Susan E. Davis to attend the International Games for the Disabled in Nawsaw County, New York on June 10-30, 1984, at no cost to the City of Pittsburgh.

Which were read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 735 Resolution authorizing the transfer of $245,526.37 from the 1983 CDBGP Trust Fund to the General Fund for the City of Pittsburgh for reimbursement of Salaries, Wages and Fringe Benefits paid to employees in support of the City's Community Development Block Grant Program.

Also,

No. 736 Resolution providing for authorization and transfer of $255,833.92 from the 1982 CDBG Program Trust Fund (CP-82-07), Indirect Costs, and the 1983 CDBG Program Trust Fund (CP-83-01), Salaries, Wages and Fringe Benefits, to the General Fund of the City of Pittsburgh for reimbursement of Indirect

Costs, Community Development Block Grant Program.

Also,

No. 737 Resolution authorizing the tranfer of $239,986.94 from the 1982 CDBG Trust Fund, Code Account CDFD, Project #4-27-10-0006-82-15-82-27 to the General Fund for reimbursement of Salaries, Wages and Fringe Benefits paid to employees in support of the City's 1983 CDBGP.

Which were severally read and referred to the Committee on Finance.

Also,

No. 738 Resolution authorizing the Urban Redevelopment Authority of Pgh. to acquire that property in the 21st Ward of the City of Pgh. owned by the Manchester (Pittsburgh) Community Development Corporation, of Pa. non-profit corp. and designated as Block and Lots 22-G-102 (1013 Lamont Street) and 22-G-104 (1017 Lamont Street) in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 739 Resolution authorizing the Urban Redevelopment Authority of Pgh. to acquire that property in the 25th Ward of the City of Pgh. owned by the City of Pgh., and designated as Block and Lot 22-D-102 (852 Kirkbride Street) in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 740 Resolution authorizing the Urban Redevelopment Authority of Pgh. to acquire that property in the 25th Ward of the City of Pittsburgh owned by Earnest Collins and designated as Block and Lot 22-D-93 (906 Kirkbride Street) in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 741 Resolution authorizing the Urban Redevelopment Authority of Pgh. to acquire that property in the 25th Ward of the City of Pittsburgh owned by Charles E. Burrell and Madeline C. Burrell and designated as Block and Lot 22-D-92 (908 Kirkbride Street) in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 742 Resolution authorizing the Urban Redevelopment Authorty of Pgh. to acquire all of the City's right, title and interest, if any in and to the publicly owned property in the 1st Ward of the City of Pittsburgh designated as Block and Lot 2-M-184 (1509-11 Forbes Avenue) in the Deed Registry Office of Allegheny County, under the Industrial Land Reserve Fund.

Also,

No. 743 Resolution authorizing the Urban Redevelopment Authority of Pgh. to acquire all of the City's right, title and interest if any in and to the publicly owned property in the 19th Ward of the City of Pgh., designated as Block and Lot 4-L-192 (448 Williams Street) in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund.

Also,

No. 744 Resolution approving the sale of Parcels 108A and 108B (1805-1807 Webster Avenue) in the 3rd Ward of the City of Pgh. by and between the Urban Redevelopment Authority of. Pgh. and Congress of Racial Equality for $2,000.00 — Redevelopment Area No. 31. (Resale for Rehab.)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 745 Resolution providing for the issuance of a warrant in favor of Thomas E. O'Brien, Inc. (Gene Rayman, Manager), in the amount of $18,855.00, in payment for Extra Work, being in addition to the original contract price of $255,867.75, on Controller's Contract #26428, in connection with the waterline installations on Third Avenue, Fourth Avenue and Market Street, chargeable to and payable from Code Account No. WD-82-08, 4-13-54-1116-82, Index Code #312207, Market, 4th, 3rd, Stanwix, Chancery-Wood.

Also,

No. 746 Resolution providing for the issuance of a warrant in favor of Troxler Electronic Laboratories, Inc., in the amount of $579.17, in payment of repairs made to the Troxler 3401, Roadreader, at the Bureau of Testing Laboratory, chargeable to and payable from Code Account No. 1488, Repairs, Index Code #148809, Dept. of Engineering and Construction.

Which were read and referred to the Committee on Finance.

Also,

No. 747 Resolution providing for an Agreement or Agreements with the Port Authority of Allegheny County and Geo Mechanics, Inc., for authorization to enter property owned by the Port Authority, directly below the Monongahela Incline in order to perform an inspection and evaluation of a retaining wall on the P. J. McArdle Roadway.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Woods presented

No. 748 Resolution providing for the issuance of a warrant to Anita H. Kostman and Leo Kostman, c/o Thomas Hollander, Esquire, 711 Frick Building, Pgh., PA 15219, in the amount of $2,500.00 in full settlement of a claim for personal injuries and property damage, chargeable to and payable from Code Account No. 46, Judgments.

Also,

No. 749 Resolution transferring the sum of four thousand five hundred ($4,500.00) dollars from Code Account 1017 (101709), Misc. Services Office of the Mayor, to Code Account 1018 (101808), Supples, Office of the Mayor, NeighborFair withdrew more money from Code Account 1018 and less from Code Account 1017 than anticipated.

Also,

No. 750 Resolution amending Res. No. 279, approved, April 6, 1984, eff. April 17, 1984, entitled, "Providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's Summer Youth Employment Program by increasing the cost from $1,046,000.00 to $2,048,000.00.

Also,

No. 751 Resolution authorizing the sale of eight (8) properties in the 22nd and 23rd Wards of the City of Pittsburgh to the Pennsylvania Department of Transportation for the total sum of $84,755.00, per attached addendum.

Also,

No. 752 Resolution providing for the sale of City owned property in the 10th Ward on Butler Street corner McCandless Street, designated as Block 80-D, Lot 1 to Daniel J. McGreevey, for the sum of $22,000.00.

Also,

No. 753 Communication from Raymond E. Johnson, Jr., Deputy City Controller, Dept of the Controller, requesting permission for Richard D. Pugh, Controller's Engineer to attend the 11th Annual Conference of Municipalities held in Seven Springs, PA on April 6, 1984, at a cost not to exceed $140.00 chargeable to and payable from Code Account No. 1048, Misc. Services.

Also,

No. 754 Communication from Melanie Smith, Director, Dept. of Personnel and Civil Service, requesting authorization for Barbara A. Brown to attend a conference with the Pennsylvania Employables Program and Community Work Experience Program Coordinators in Grantville, PA, on May 23-24, 1984, at a cost not to exceed $300.00 payable from the JTPA-1 Trust Fund, federal funds. The purpose of the conference is to be able to link JTAP Administrative Entities with Department of Welfare clients regarding training and employment opportunities.

Also,

No. 755 Communication from John Gabriel, Director, Commission on Human Relations, requesting authorization for Donna DiLeonardo to attend the Fair Housing Training in Harrisburg, PA, June 4-7, 1984, at a cost not to exceed $525.00 payable from the HUD-FHP Trust Fund.

Which were severally read and referred to the Committee on Finance.

Also,

No. 756 Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the purchase and delivery of Various Computer Equipment for the Dept. of Personnel & Civil Service, at a cost not to exceed $38,700.00 payable from Code Account CETA, Dept. of Personnel & Civil Service Commission.

Also,

No. 757 Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the furnishing and delivery of Printer Acoustical Enclosures for the Bureau of Information Systems, at a cost not to exceed $25,000.00, Dept. of the Mayor, Code Account No. 1045, Index Code 104505, Equipment.

Also,

No. 758 Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the furnishing and delivery of Computer Workstation Furniture for the Bureau of Information Systems, at a cost not to exceed $20,000.00, Dept. of the Mayor, Code Account No. 1045, Index Code 104505, Equipment.

Which were severally read and referred to the Committee on General Services.

The Chair presented

No. 759 Petition from the residents of Linnview Avenue, Pittsburgh, Pennsylvania, requesting the City of Pittsburgh to resurface the street from Brownsville Road to Laughlin Avenue.

Which was read and referred to the Committee on Public Works.

The Chair:

Mike, maybe we could save some time on those petitions. Instead of losing the time, can we send a copy of that to the respective director and ask for a report, and then when it comes to us, we may be able to prevent some unneccessary hearings.

I've asked, and we'll start this as a practice now, when it's introduced here we'll then request a report from the department heads so that we have it by the time it gets to Council for some action.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 760

Report of the Committee on Finance for May 9, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 628

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended."

Which was read.

Also,

Bill No. 629

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 665

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Alex and Joseph Kolas in the amount of $600.00 in payment for rental of property at 5632-40 Second Avenue for the first six months of 1984; and providing for the payment thereof."

Which was read.

Also,

Bill No. 671

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the Dick Corporation (D.W. Dick, President), in the amount of Nine Thousand Seven Hundred Seventy ($9,770.00) Dollars, in payment for an Emergency Contract for the repairs of a pin connection on the Fort Pitt Boulevard-Eastbound; and providing for the payment thereof."

Which was read.

Also,

Bill No. 672

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Mario DePasquale, Inc. (Mario DePasquale, President), in the amount of Fifteen Thousand Four Hundred Seventy Eight Dollars and Seventy Four Cents ($15,478.74), in payment for Extra Work, being in addition to the original price of Seven Hundred Six Thousand Three Hundred Seventy Six ($706,376.00) Dollars, on Controller's Contract No. 26101, furnished for the benefit of the City in connection with the Reconstruction of the Crane Avenue Bridge; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 673

A Resolution entitled, "Resolution providing for the filing of an application or applications by the City of Pittsburgh with the Pennsylvania Department of Labor and Industry for a grant or grants in connection with the Job Training Partnership Act; providing for the execution of Grant contracts and for the filing of requisitions and other data; providing for the appointment of the Private Industry Council and authorization for the Private Industry Council and the City of Pittsburgh to enter into agreements authorized by the Job Training Partnership Act; providing

for required assurances; providing for execution of payment vouchers and for certification of authorized signatures; providing for a contract or contracts with the Private Industry Council and various agencies/employers for services and programs related to training and employment for the Job Training Partnership Act Projects; providing for the deposit of funds into a bank account." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 621

A Resolution entitled, "Resolution amending the 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982 and 1983 Community Development Capital Budgets to renumber project code accounts to reflect the reorganization creating the Department of Engineering and Construction." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski for Mr. Givens presented

Bill No. 761

Report of the Committee on Public Works for May 9, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 643

A Resolution entitled, "Resolution authorizing the Mayor, Director of Public Works and the Superintendent of the Bureau of Cable Communications to analyze the fiscal status of the Warner Cable Corporation of Pittsburgh and Warner Amex Cable Communication Inc., and to file a report with City Council within thirty days of completion of the analysis." (AS AMENDED IN COMMITTEE) — **(SPONSORED BY MR. ROBINSON)**

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone

Mr. Robinson (Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Robinson presented

Bill No. 762

Report of the Committee on Planning, Housing and Development for May 9, 1984 transmitting one ordinance and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 644

A Resolution entitled, "Resolution authorizing and directing the Department of City Planning and the Urban Redevelopment Authority to prepare and present to City Council the Minority Business and Women's Business Development Plans for the Allegheny International/Stanley Theatre Project." **— (SPONSORED BY MR. ROBINSON)**

Which was read.

Also,

Bill No. 670

An Ordinance entitled, "An Ordinance accepting and approving the June 1983 Hill District Study Area Development Guidelines Plan as the Comprehensive Development Plan for the Hill District, City of Pittsburgh (3rd Ward, 5th Ward)." **— (SPONSORED BY MR. ROBINSON)**

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 763

Report of the Committee on General Services for May 9, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 663

A Resolution entitled, "Resolution providing for the letting of a contract or contracts or for the use of existing contracts for the purchase and delivery of Various Automotive Equipment for the Department of General Services, Code Account 4-30-01-0001-83, Index Code 370106, Miscellaneous Equipment, for payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

Bill No. 764

Report of the Committee on Parks and Recreation for May 9, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 666

A Resolution entitled, "Resolution authorizing and directing the City Treasurer, on behalf of the City of Pittsburgh, to accept funds from various concessions occurring at Department of Parks and Recreation special programs and events, and to deposit all such concession funds in the Special Parks Program Trust Fund (SPPTF) and providing for the payment of expenses in connection with the Special Parks Programs."

Which was read.

Also,

Bill No. 705

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the John F. Kennedy Memorial Youth League, Inc., for the performance of professional services in connection with their 1984 Football Program and transferring the sum of $2,340.00 from Code Account 10, Accounts Payable, Prior Years, to Code Account 1838, Department of Parks and Recreation." — **(SPONSORED BY MR. WAGNER)**

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods'
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 766 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, withdrawing the name of Mary Cherubin as a member of the Sinking Fund Commission.

Which was read, received and filed.

Mr. Woods moved to approve the motion.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 767 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, appointing Ms. Gretchen Donaldson of 144 North Dithridge Street, Pittsburgh, PA 15213, as a member of the Board of Water Assessors for a term to expire May, 1987

Which was read, received and filed.

Also,

No. 768 Resolution appointing Ms. Gretchen Donaldson of 144 North Dithridge Street, Pittsburgh, PA 15213 to the Board of Water Assessors for a term to expire May, 1987.

Which was read.

Also,

No. 769 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, appointing Mr. Paul Imhoff of 1407 Rydale Street, Pittsburgh, PA 15205, as a member of the Historic Review Commission for a term to expire December, 1986.

Which was read, received and filed.

Also,

No. 770 Resolution appointing Mr. Paul Imhoff of 1407 Rydale Street, Pittsburgh, PA 15205 to the Historic Review Commission for a term to expire December, 1986.

Which was read.

Mr. Woods:

Mr. President, I'd like to make a motion that we call both people within the ten day limit.

The Chair:

They are both appointments rather than reappointments and I think we ought to have them at the table. So they'll be called next week, Mike, and the following Monday we should pass on them.

Mr. Robinson:

Mr. President, just a couple items if I might. I'd just like to bring to the attention of members of Council that on May 17th, 18th, and 19th, at the Pittsburgh Hilton Hotel, the Women Business Owners of Western Pennsylvania, Incorporated, in conjunction with the Small Business Administration, is having a seminar called Building A Brighter Future and the seminar and workshop is geared towards involving more women in business opportunities, not only locally but nationally.

This is an effort that in part was sponsored an initiated by the White House and I think credit is due to the National Administration for doing something positive on behalf of Women Business Owners. This probably represents one of the more positive things that's come out of the National

Administration in the last couple of years but I'm particularly interested in this project because I think there are a lot of women business owners here in our area who do want to participate in the growth of our City and our County and I think this seminar is a good opportunity for them to do that. I'm just glad to see that the Federal Government, through the Small Business Administration, is working with local organizations to make these seminars and workshops a reality.

As I mentioned before, the Women Business Owners of Western Pennsylvania is a sponsor of this workshop and seminar in conjuction with the Small Business Administration. Also, a number of public agencies, including our own Urban Redevelopment Authority, are involved as well as a number of major corporations in our City.

I think our hats should be taken off to the corporate community for working in conjunction with the private and public sectors and trying to make business opportunities available for women. That's May 17th, 18th, and 19th at the Hilton Hotel.

The Chair:

Thank you.

Mr. Robinson:

Another item relates to the Human Relations Commission. If the City Clerk would be kind enough to contact the Human Relations Comission to remind them that they are supposed to have a report for Council this Wednesday relative to when their 1983 report will be done, their annual report will be done, and also some indication as to how they're putting that report together, the areas of concern that they're going to address, and the methodology that they're utilizing. They were also supposed to report to us on a time schedule for us to receive the annual reports from '79, '80, '81 and '82 along with an outline of how those reports will be put together, the content and the methodology that they're using in preparing those reports.

My last concern relates to housing in the City. I've been getting a number of concerns addressed to me by way of letter and phone concerning Section 8 housing in the City of Pittsburgh. As most members of Council know, this is a very sensitive issue because it does involve housing for low and moderate income people.

There is a growing concern that Section 8 housing is being concentrated in certain neighborhoods. I think it would do us all well to review our Section 8 program and become familiar with the criteria that is utilized to select neighborhoods into which Section 8 housing is placed and to make sure that no one neighborhood is handling more of a burden than another neighborhood.

As I said before, it is a very sensitive issue and I'm sure everyone on this Council is appreciative that we must provide housing for all people in all neighborhoods. But the Section 8 issue, I think, is beginning to create some apprehension in some neighborhoods as to whether or not their neighborhoods, those particular neighborhoods, have been singled out, so to speak, for Section 8 programs and whether certain neighborhoods will have to carry the total burden of the Section 8 program.

It may be wise for our City Clerk to contact the Urban Redevelopment Authority and the Public Housing Authority and identify those persons who are responsible for the Section 8 program and ask them if they would be kind enough to prepare some sort of report

for Council as to how they operate the Section 8 program, how they determine which neighborhoods the housing goes into, and what kind of liaison they have with community groups and organizations in preparation of authorizing Section 8 units in any one neighborhoods.

I don't want to alarm anybody or to suggest in any way that our Section 8 program is not being run properly but I think with the number of concerns that have been raised with me that it is appropriate for this Council to get some feel for where we are with that program.

The Chair:

The one Section 8 has exhausted its funds, as you might be aware.

Mr. Woods moved to excuse Mr. Givens and Michelle Madoff for absence from the meeting.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Woods moved to approve the Minutes from Monday, April 30, 1984.

Mr. Robinson seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Robinson**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, May 21, 1984 No. 21

Municipal Record

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, May 21, 1984

PRESENT:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

ABSENT:

Michelle Madoff

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

Before beginning our business today I think it would be in order if we welcome back Councilman Richard Givens. He has rebounded quite well, I think, from his surgery. We welcome him back and hope that he has no further difficulties.

Mr. Givens:

Thank you, Mr. President and I'd like to say a few words to my fellow Councilmembers if I can at this particular time.

Mr. President and members of Council, I'm very glad to be able to resume my legislative duties today. I am feeling well and have been looking forward to rejoining all of you in these last months in the continuing effort to serve the people of the City of Pittsburgh.

While I was regaining my health, two people close to this Council were less fortunate and their deaths have been on my mind during my convalescent period. We were all saddened when our Lou Mason, former President of this Council, passed away. For the record, I want to offer my praise and admiration to this man and to his legacy and inspiring leadership and dedication to public service. Lou, you know, helped me and he helped guide me when I first became a Councilman some nine years ago. I always found that his wit and wisdom was refreshing and had insight.

Also, I want to echo my colleagues' expressed sentiment to our current President, Bob Stone, at the loss of his brother Nick who was also a personal friend of mine and he was a man greatly respected in his community, especially that of the South Side of the City of Pittsburgh and throughout the Downtown area.

I also want to thank my colleagues and my many departmental officials who have been so cooperative with my staff, Rick Infante and Linda Noska, in the past weeks. Through your concern and responsiveness you've helped my office to remain an active part of the local government during my convalescence and I think that's to be commended.

I also understand that things have been very quiet around here while I was gone but if, in the next few weeks things begin to flare up again, I hope my colleagues will restrain themselves and remember my delicate condition.

The Chair:

I'm not going to touch that line.

Mrs. Masloff:

Mr. President, along those lines I think we all ought to say Happy Birthday to you. I understand today is your birthday. Happy Birthday!

The Chair:

Thank you very much.

Mr. Givens presented

No. 771 Resolution providing for the issuance of a warrant for $372.00 in favor of the Ace Lock and Key, Inc., by Wallace Act, chargeable to and payable from Code Account No. 1176, Misc. Services, Index Code No. 117606, Dept. of Environmental Services.

Also,

No. 772 Resolution transferring the amount of $1,000.00 from Code Account 1633, Materials to Code Account 1631, Misc. Services; both Code Accounts are within the Bureau of Operations, Painting Division, Dept. of Public Works.

Also,

No. 773 Resolution repealing Resolution No. 211, eff. April 3, 1984, entitled, "Providing for a Contract or Contracts, or the use of existing Contracts, for the purchase and instllation of poles and street lights at various locations within the City of Pittsburgh, at a cost not to exceed $50,000.00 chargeable to and payable from Code Account PW 84-23, Central Business District, Street Lighting, is hereby repealed in its entirety.

Which were severally read and referred to the Committee on Finance.

Mr. Grabowski for Michelle Madoff presented

No. 774 Resolution amending Res. No. 351, appr. April 27, 1984, eff. May 7, 1984, entitled, "Providing for the issuance of a warrant in favor of American Society for Microbiology, 1913 I Street N.W., Washington, D.C. 20006, in the amount of $397.00," by changing the source of funds from Code Account No. 1701, Misc. Services to Code Account No. 1930, Misc. Services.

Which was read and referred to the Committee on Finance.

Mr. O'Malley presented

No. 775 Communication from

Charles Lewis, Chief, Dept. of Fire, requesting authorization for Ronald Boggess and Jack Faulkner to attend a training course on hazardous materials in Edison, New Jersev, on June 25-29, 1984, at a cost not to exceed $500.00, per person, payable from Code Account No. 1463, Misc. Services and Repairs. Permission is also requested for use of a Fire Department vehicle.

Which was read and referred to the Committee on Public Safety.

Mr. Robinson presented

No.776 Resolution providing for an Agreement or Agreements with the University of Pittsburgh for the securing of professional services during 1984 for the annual Jazz Seminar, directed by Nathan Davis, P.H.D., at a cost not to exceed $5,000.00 chargeable to and payable from Code Account No. 1838, Recreational Activities, Misc. Services, Dept. of Parks and Recreation; and transferring the amount of $5,000.00 from Code Account 10, Accounts Payable Prior Years, to Code Account No. 1838, Misc. Services, Dept. of Parks and Recreation. **—(SPONSORED BY MR. ROBINSON)**

Which was read and referred to the Committee on Parks and Recreation.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also,

No. 777 Resolution approving a Conditional Use under Section 993.01(a)A(8) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, to Southside Hospital for authorization to use the existing structure known as Taylor Hall for offices and classrooms and construct two surface parking lots containing 92 parking spaces, 17th Ward.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 778 Resolution repealing Resolution No. 919, appr. October 17, 1983, eff. October 27, 1983, entitled, "Providing for a Contract or Contracts for the Demolition and Replacement of the Duquesne Incline Footbridge over Carson Street West, including work on private property and other work incidental thereto, and providing for the payment of the cost thereof," at a cost not to exceed $260,000.00 chargeable to and payable from Code Account PW 83-39, 4-01-30-0405-83, Demolition and Replacement of the Duquesne Incline Footbridge.

Also,

No. 779 Resolution amending Res. No. 911, eff. October 27, 1983, entitled, "Providing for an Agreement or Agreements between the City of Pittsburgh and the Port Authority of Allegheny County whereby the Port Authority agrees to assume ownership and maintenance of the Duquesne Incline Footbridge in exchange for the City's acceptance of ownership and maintenance of fences on the designated vehicular bridges", by providing that the Port Authority of Allegheny County and the Society for the Preservation of the Duquesne Heights Incline will do the rehabilitation of the Duquesne Incline

Footbridge, and providing for the reimbursement to said Society by the City of Pittsburgh, at a cost not to exceed $50,000.00 payable from Code Account No. PW 83-39, 4-13-30-0405-83, Index Code No. 304709.

Also,

No. 780 Resolution providing for a Cooperation Agreement or Agreements with Carnegie Institute in connection with the Renovation of the Hall of Architecture, at a cost not to exceed $75,000.00 payable from Code Account LB 84-08, Carnegie Institute Rehabilitation.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Woods presented

No. 781 Resolution authorizing the issuance of a warrant in favor of the U. S. Department of Labor in the amount of $25,881.21 to return amounts collected from CETA subcontractors and vendors and in payment of disallowed costs in the City CETA Program, chargeable to and payable from the CETA Trust Fund, federal funds (260059).

Also,

No. 782 Resolution authorizing the transfer of $535.21 from Code Account 1100, Misc. Services, Dept. of Personnel and Civil Service Commission (110007) to the CETA Trust Fund, federal funds, (260059) to pay disallowed costs of the City CETA Program.

Which were read and referred to the Committee on Finance.

Mr. Woods moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Also,

No. 783 Resolution amending Res. No. 91, appr. February 23, 1984, eff. March 2, 1984, entitled: "Providing for an Agreement or Agreements for specialized professional services in connection with the conduct of negotiations and arbitration proceedings including labor relations advice, representation at negotiating meetings and economic and job evaluation advice, and related personnel matters," by increasing the cost from $12,000.00 to $20,000.00 chargeable to and payable from Code Account No. 1100, (110007), Misc. Services, Dept. of Personnel & Civil Service.

Also,

No. 784 Resolution repealing Item A of Res. No. 1019, appr. Nov. 30, 1983, for sale of a 2 Sty. Brk. hse. at 1915 Forbes Avenue, 1st Ward, Block & Lot 11-J-42, to Willard T. Harrison, for the sum of $1,500.00. Resolution is to repeal sale and return hand money. Property redeemed.

Also,

No. 785 Resolution repealing Item E of Res. No. 1131, appr. December 30, 1983, for the sale of a house at 1099 Lawndale Street, 13th Ward, 231 E-101, to Harold McGinnis and Sharon (W.) for the sum of $1,600.00. Resolution is to repeal sale and return the hand money.

Also,

No. 786 Resolution repealing Item F of Res. No. 229, appr. April 3, 1984, for the sale of a 2 Sty. Fra. house at 1090 Blackadore Avenue, 13th Ward, Block and Lot 174-H-112, to Susan Frye, for the sum of $7,500.00. Resolution is to repeal sale and return hand money. Former owner redeeming the property.

Also,

No. 787 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at a tax sale in accordance with Act No. 514 of 1947 as amended.

Also,

No. 788 Communication from Richard S. Caliguiri, Mayor, requesting permission for George Whitmer to attend the Pennsylvanai League of Cities Convention on June 7-9, 1984, in Allentown, Pennsylvania, at a cost not to exceed $700.00 payable from Code Account No. 1017, Misc. Services.

Also,

No. 789 Communication from Melanie J. Smith, Director, Dept. of Personnel & Civil Service, requesting authorization for Georgine Scarpino to attend a Labor Department Liaison meeting in Hunt Valley, Maryland, on May 30-31, 1984, at a cost not to exceed $400.00 payable from the JTPA-I Trust Fund. The purpose of this meeting is to have input into JTPA policies and procedures. Prior approval granted by Council letter of May 14, 1984.

Also,

No. 790 Communication from Ronald C. Schmeiser, Director, Dept. of Finance, requesting authorization for Stephen Schillo to attend a one day seminar in Pittsburgh, PA on the use of microcomputers, at a cost not to exceed $75.00 payable from Code Account No. 1063, Misc. Services.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 791 Resolution providing for an Agreement or Agreements with the Uptown Little League for professional services during 1984, at a cost not to exceed $5,000.00 chargeable to and payable from Code Account No. 1838, Recreational Activities, Misc. Services, Dept. of Parks and Recreation; and transferring the amount of $5,000.00 from Code Account 10, Accounts Payable Prior Years to Code Account 1838, Misc. Services, Dept. of Parks and Recreation. **—(SPONSORED BY MR. STONE)**

Which was read and referred to the Committee on Parks and Recreation.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Woods seconded the motion.

Which motion prevailed.

UNFINISHED BUSINESS

Mr. Woods:

Mr. President, under Unfinished Business. I suggest that Council meet following this meeting today, if at all possible, if convenient to all members, to discuss the reorganization of the office space. I think that's something that we need to move on immediately.

The Chair:

Regretfully, we can't do it now; if you want to do it Wednesday we can.

Mr. Wagner:

Can we set up a meeting at this time that's agreeable to all members?

The Chair:

Tomorrow at eleven? Does anybody have any problems with that?

Mr. Robinson:

I won't be here.

The Chair:

Or Wednesday right after the meeting?

Mr. O'Malley:

Wednesday's fine with me.

The Chair:

Okay. Wednesday after the session we'll meet.

Mr. Wagner:

Thank you.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 792

Report of the Committee on Finance for May 16, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 686

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Allegheny Fence Construction Company, Inc., 4301 Irvine Street, Pittsburgh, PA 15207, in the amount of $1,200.00 in payment for Emergency Gate Repair Work furnished for the benefit of the City in connection with the City of Pittsburgh Tow Pound and providing for the payment thereof."

Which was read.

Also,

Bill No. 687

A Resolution entitled, "Resolution providing for the issuance of a warrant to Marine Midland Bank, P.O. Box 6962, Buffalo, NY 14240, in the amount of One Thousand Eight Hundred Seventy ($1,870.00) Dollars, for refund of the excess auction proceeds over the accumulated towing and storage charges."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Woods
Mrs. Masloff	Mr. Stone

Mr. O'Malley (Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 706

A Resolution entitled, "Resolution transferring the sum of Eighty Five Thousand Two Hundred Seventy ($85,270.00) Dollars from Code Account 30, Refunds - All Other Taxes, to the following Code Accounts all within the Department of Engineering and Construction: 1482 Miscellaneous Services, Index Code 148205, $41,320.00; 1484 Supplies, Index Code 148403, $15,000.00; 1490 Equipment, Index Code 149005, $28,950.00."

Which was read.

Also,

Bill No. 710

A Resolution entitled, "Resolution providing for a License Agreement with Bell of Pennsylvania for the installation and maintenance of a conduit system and other underground appurtenances on City property in the 23rd Ward."

Which was read.

Also,

Bill No. 711

A Resolution entitled, "Resolution authorizing the sale of property in the 13th Ward of the City of Pittsburgh, Pennsylvania, located on North Lang Avenue, being part of Block 125 S, Lot 150, to the Port Authority of Allegheny County, Pennsylvania, for the sum of $2,200.00."

Which was read.

Also,

Bill No. 713

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended."

Which was read.

Also,

Bill No. 714

A Resolution entitled, "Resolution repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 514, as amended, and providing for the forfeiture of hand money."

Which was read.

Mr. Woods:

On Bill 714, I would like to make an amendment and delete Item G. The reason for that is that the individual was ill and she didn't see the notice. Now she's out of the hospital and will be coming with her hand money for that.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also,

Bill No. 715

Resolution repealing Item B of

Resolution No. 896, approved October 14, 1983, for the sale of a 2 story frame house at 2825 Webster Avenue, 5th Ward, Block and Lot 10-D-140, to Clarence T. and Thelma Scott (mother) for the sum of $2,000.00. Resolution is to repeal sale and return the hand money. Building being razed.

Which was read.

Also,

Bill No. 716

Resolution repealing Item B of Resolution No. 229, approved April 3, 1984, for the sale of a 2-1/2 story frame house at 222 Dunseith Street, 4th Ward, Block and Lot 28-A-156 to Breachmenders, Inc., for the sum of $1,000.00. Resolution is to repeal sale and return the hand money. Property being redeemed.

Which was read.

Also,

Bill No. 717

Resolution amending Item G of Resolution No. 14, approved January 31, 1984, for the sale of a 2-1/2 story house on 409-11 Rosedale Street (13th Ward) to Rufus and Laura Poindexter (W.) for the sum of $1,400.00, Block and Lot 175-G-214. Amendment is to reduce price of sale.

Which was read.

Also,

Bill No. 718

Resolution repealing Item I of Resolution No. 989, approved October 8, 1982 for the sale of 3 - 2 story brick duplex houses at 1605-07-09 Brighton Place, 25th Ward, Block and Lot 22-H-223, to Kirk T. Webster and Chris D. Law, for $1,500.00. Resolution is to repeal sale and return the hand money.

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 793

Report of the Committee on Public Works for May 16, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 661

A Resolution entitled, "Resolution granting unto University of Pittsburgh, their successors and assigns, the

privilege and license to construct, maintain and use at their own cost and expense, restrooms, and concession stands, over on a portion of the sidewalk of Allequippa Street in the 4th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The aves and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Robinson presented

Bill No. 794

Report of the Committee on Planning, Housing and Development for May 16, 1984 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 545

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 4, by changing: From "R1" One-Family Residence District to "C2" Highway Commercial District all that certain property bounded by: McMonagle Avenue; Banksville Road; the boundary line of Mt. Lebanon Township, the southeasterly property boundary of Lot No. 162, Block 63-E in the Allegheny County Block and Lot System projected in a southwesterly direction to the boundary line of Mt. Lebanon Township; the southwesterly and southeasterly boundaries of Lots No'd. 69 and 70, Block 63-F in the aforesaid System, 20th Ward."

Which was read.

Also,

Bill No. 694

A Resolution entitled, "Resolution providing for an Agreement(s) with the Health and Welfare Planning Association for the City's share of the Community Education Pittsburgh Project."

Which was read.

Also,

Bill No. 695

A Resolution entitled, "Resolution providing for the issuance of a Certificate of Appropriateness for exterior work on the residential structures in the Manchester Historic District at 1406 Rush Street (Block and Lot 22-K-147) and 915-21 Manhattan Street (Block and Lot 7-B-122-23-24) in the 21st Ward. Also providing for the issuance of Certificates of Appropriateness for exterior work on the residential structures in the Mexican War Streets Historic District at 1218 Palo

Alto Street (Block and Lot 23-K-147) in the 22nd Ward. Also providing for the issuance of Certificates of Appropriateness for exterior work on the commercial structures in the Market Square Historic District at 210 Forbes Avenue (Block and Lot 1-H-212) and 431 Market Street (Block and Lot 1-D-144). Also providing for the issuance of a Certificate of Appropriateness for exterior work to the Smithfield Street Bridge in the 1st and 17th Wards."

Which was read.

Also,

Bill No. 696

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to enter into a grant agreement with Steve Catranel Construction Company, Inc. for an amount not to exceed Five Thousand Fifty ($5,050.00) Dollars from the Neighborhood Housing Fund for site improvement work in connection with the Bloomfield/Garfield Neighborhood Housing Program in the Tenth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 697

A Resolution entitled, "Resolution approving Modification No. 4 (dated March, 1984) to the Redevelopment Area Plan - Urban Renewal Plan for Redevelopment Area No. 15, Woods Run Project."

Which was read.

Also,

Bill No. 698

A Resolution entitled, "Resolution approving execution of a contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and John W. Palarino and Francis A. Brochetti for the sale of Parcel 30A in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27 (Resale for Rehabilitation)."

Which was read.

Also,

Bill No. 699

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Stanford E. White for the sale of Parcel 244F in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27 (Parking)."

Which was read.

Also,

Bill No. 700

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and listed redevelopers for the sale of properties in the City of Pittsburgh (Urban Homesteading Rehabs)."

Which was read.

Also,

Bill No. 701

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of

Pittsburgh and Eugene Thomas, Jr. for the sale of Block 22F, Lot 283A and Block 22-K, Lot37 in the Twenty-First Ward of the City of Pittsburgh (Parking)."

Which was read.

Also,

Bill No. 702

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Richard L. Fugini for the sale of Block 46-G, Lot 232 in the Twenty-Sixth Ward of the City of Pittsburgh (Sideyard)."

Which was read.

Also,

Bill No. 703

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Raymond L. Barringer, Jr. and Alane L. Barringer for the sale of Block 76-J, Lot 339 in the Twenty-Seventh Ward of the City of Pittsburgh (Resale for Rehabilitation)."

Which was read.

Also,

Bill No. 704

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Charles Green for the sale of Block 175-C, Lot 21 in the Thirteenth Ward of the City of Pittsburgh (Sideyard)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 795

Report of the Committee on General Services for May 16, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 688

A Resolution entitled, "Resolution providing for the letting of a contract or contracts or for the use of existing contracts for the purchase and delivery of self contained breathing apparatus for

the Department of Emergency Medical Services and for payment thereof."

Which was read.

Also,

Bill No. 689

A Resolution entitled, "Resolution providing for the letting of a contract or contracts or for the use of existing contracts for the purchase and delivery of two rescue truck modules for the Department of Emergency Medical Services."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Malley presented

Bill No. 796

Report of the Committee on Public Safety for May 16, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 690

A Resolution entitled, "Resolution authorizing an agreement or agreements with The Western Union Telegraph Company for the purpose of establishing a procedure for the payment of fines and costs associated with traffic and parking law violations by the use of credit cards and creating an interest bearing checking account for the deposit of any funds received in payment of said fines and costs."

Which was read.

Also,

Bill No. 691

A Resolution entitled, "Resolution amending Resolution No. 705, approved August 8, 1983, effective August 25, 1983, entitled, 'Providing for an agreement or agreements with the University Health Center of Pittsburgh/Center for Emergency Medicine for medical operations direction in connection with the Department of Emergency Medical Services, at a cost not to exceed $25,000.00, chargeable to and payable from Code Account No. 1421, EMS Miscellaneous Services,' by deleting the words 'University Health Center of Pittsburgh' and adding the words 'of Western PA'."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Wagner presented

Bill No. 797

Report of the Committee on Engineering and Construction for May 16, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 707

A Resolution entitled, "Resolution further amending Resolution No. 1218, effective December 31, 1979, as amended by Resolution No. 78, effective February 22, 1980, entitled, 'A Resolution providing for a Contract for Engineering and Architectural Services for Grant Street and Liberty Avenue Design, Fort Pitt to Liberty, Seventh to Twelfth, providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation', by increasing the total project allocation by Two Hundred Twenty Five Thousand ($225,000.00) Dollars." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Givens and Mr. Grabowski present

Bill No. 798 WHEREAS, on Thursday, May 17, 1984, Ferdinand "Fritzie" Zivic, age 71, was called from this life; and

WHEREAS, Fritzie Zivic, a native of Pittsburgh's Lawrenceville

community, established an outstanding 18-year career as a professional boxer from 1931 to 1949, including the world welterweight title in 1940; and

WHEREAS, Fritzie was the youngest of five brothers born to Croation immigrant parents; and

WHEREAS, his legendary toughness and relentless ring style were emblematic of the spirit of Pittsburgh.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh, on behalf of the people of Pittsburgh, extend our sympathies to his wife, Helen, his children and grandchildren, and his two surviving brothers, at the loss of their beloved Fritzie and one of our areas legendary sports heroes.

Mr. Givens moved to adopt the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. Givens:

This resolution will be presented by myself but I'd also like to include Steve Grabowski who is a native of Lawrenceville to be a co-sponsor if he would like his name to so appear.

Mr. Grabowski:

Yes.

Mr. Givens:

I would like to make some personal comments on the resolution and on Fritzie Zivic himself.

As a young lad I remember one time taking a long hike, as we called it back in those days, through the streets of the City of Pittsburgh. A group of young lads from Lawrenceville ended up out in Frick Park which is some several miles from our destination and not knowing how far we traveled that day, on our way back we had the old thumb routine out there. Little known to all of us, a vehicle pulled up, one that was unusual at that particular time, back in about the 1940's. It was a station wagon with the wood paneling on it and inside was no other than Fritzie Zivic. Of course, we didn't recognize him immediately, at that particular time, and he said, "Well, how far are you going?". We said, "The next major intersection down", figuring that he'd be either making a left or a right. Well, this went on for two or three intersections and he turned around to all of us guys and said, "Where in the hell are you people going?" We said, "Lawrenceville.", and he said, "Why didn't you tell me that. I'm Fritzie Zivic and I'm going right there myself."

So, that was my first encounter with Fritzie when I was about eleven or twelve years of age. Since that time I think many of us have had the opportunity to talk with Fritzie and hear some of the word by word bouts that he had had and as was depicted even in our newspapers and those that covered the fights back in those days, the old Sun Telegraph, etc., that Fritzie never broke with a clean break. But he hid something to the hearts of all the young lads in both the Lawrenceville area and as well as through the City of Pittsburg and this region. As you put Pittsburgh on the map, as they want Pittsburgh to be seen, as we see this happening in our Convention Center down there, what Fritzie Zivic did to boxing, at that particular time, was to really bring it into the number one sport in this particular area, as our Pittsburgh

Steelers and the Pirates do likewise. He did that in that particular time and some way in the future I would hope that his name would not be forgotten because today was the day that he was buried and hopefully we could think of something that might happen in the future that would keep the spirit of Fritzie Zivic alive within the City of Pittsburgh.

Thank you, Mr. President.

The Chair:

I am reminded that Fritzie Zivic and I happen to have been friends in the past. I'd like to share one of the stories that he told me; I'm sure it might be of interest to all of you.

He tells about boxing out in Hollywood, California and that there was one particular character who was at ringside who seemed to be heckling him pretty good and getting under his skin. It seemed that he wanted to repay him in some way and after going for two rounds with this individual he felt pretty sure that he now had it the way he wanted it, that it was only a matter of time, that he would consumate this fight. He then went to his corner and he said to the second, "Forget the mouthpiece after this round." At that point, he took the usual water and he didn't put the mouthpiece back in. Pretty soon the heckler was giving him a rough time from ringside and at that particular time he got into a clinch and let go right in the eye of the spectator at ringside. The newspapers that day carried a headline, "Fritzie Zivic Scores Double TKO". It happened to be Bub Abbott or Lou Costello who was heckling him in the audience at that particular time.

We have many fond memories of Fritzie Zivic and I'm sure that one cannot speak about the boxing field without speaking of Fritzie Zivic and the Zivic family. They've been a tribute to the fight game; they've been a tribute to this community and, of course, to their ethnic character. We thank them all for that.

Again, Mr. Givens, I commend you for extending your sympathies on behalf of all of us to the family.

Mr. Grabowski presents

Bill No. 799 WHEREAS, on May 20, 1984, Lou Zotter was honored for his extensive service to the Holy Name Society of the Holy Family Church and the community of Lawrenceville; and

WHEREAS, Lou Zotter having served 15 years as President of the Holy Name Society with unselfish dedication to the organization; and

WHEREAS, in addition to Lou Zotter's contributions to the Society, he has also served as an usher, committee member, bingo coordinator and festival coordinator for the Holy Family Church; and

WHEREAS, Lou Zotter has extended himself beyond the doors of the Holy Family Church, to the community of Lawrenceville by serving as Chairman of the Stephen Foster Community Center's Summer Festival and by being involved with the area's Golden Agers Organization; and

WHEREAS, Lou Zotter's enthusiasm, dedication and unending labors have resulted in happiness, personal development, and spiritual growth to all of those who come in contact with him.

NOW THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of Council of the City

of Pittsburgh, on behalf of the citizens of Pittsburgh, hereby recognize and salute Lou Zotter for the countless years of distinguished service and loyalty to the Holy Family Church, and the community of Lawrenceville where he has displayed sincere dedication in cultivating high social and moral standards, as well as spiritual awareness.

BE IT FURTHER RESOLVED, that this Council wishes to thank Lou Zotter for all of his past contributions to the religious and social communities, and may he continue to enjoy the fruits and richness of his life.

Mr. Grabowski moved to adopt the resolution.

Mr. Woods seconded the motion.

Which motion prevailed.

Mr. Grabowski:

Mr. President, I'd just like to say that yesterday I actually made that presentation to Mr. Zotter at the General Membership Meeting of our Holy Name Society. Of course I cautioned Mr. Zotter and the Membership that Council was somewhat unpredictable, and they were all aware of that, but I told him that I'd do my best to secure five votes and they indicated that they had faith and confidence in me that I could do that.

The Chair:

It's unanimous.

Mrs. Masloff presents

Bill No. 800 WHEREAS, the people and government of the City of Pittsburgh are committed to human rights and human dignity, with the needs of the handicapped, and

WHEREAS, The United Nations General Assembly has declared 1983 through 1992 as "Decade of Disabled Persons;" and

WHEREAS, the Congress of the United States has adopted the aforementioned resolution and declaration of the Decade; and

WHEREAS, one out of seven Allegheny County residents are physically or mentally handicapped, but we take great pride in the contributions persons with disabilities have made and continue to make in medicine, science, education, the arts, law, government, and the many fields of technological advances; and

WHEREAS, much remains to be done to open doors to full participation and quality of disabled persons through education, employment and convenient community living opportunities;

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize 1983 through 1992 as "Decade of the Disabled," and pledge our programs for the disabled in housing, buildings, education, employment, transportation and recreation, and in every other possible facet of the good life, in order to benefit all disabled persons that they may take their rightful place in the mainstream of our daily lives.

Mrs. Masloff moved to adopt the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. Robinson:

Mr. President, if I might, two items. Mr. President and members of

Council, I would like the Record to reflect that I was in Washington, D.C. on May 10th, 11th and 12th to attend a meeting of the National League of Cities, Energy, Environment and National Resources Steering Committee of which I am a member.

Our meeting agenda addressed the issues of hazardous materials transportation, ground water, Environmental Protection Agency and their Superfund and also infrastructure assistance.

Specific information relative to the Steering Committee Meeting will be made available upon request.

The second item relates to Council Bill 2305 which was introduced in 1983, in fact, introduced on January 10, 1983. This particular bill related to the establishment of an Infrastructure Trust Fund in the City of Pittsburgh to assist in the financing of projects that would be geared towards rehabilitating our sewers, our bridges, some of slope areas and related projects. That bill did not pass at that time in 1983. In fact, final action was taken on the bill on February 7, 1983.

The reason I bring this issue up now is that I think that certainly the issue of our infrastructure has been discussed on numerous occasions here in Council and many solutions have been suggested. One of the areas that I don't think that we have given a lot of consideration to is the area of doing something about the slopes in our City. Thirty percent of our City is slope area; we have some significant problems with the shifting and moving of those slopes and we have some very serious problems relative to impending danger to homes on those slopes or below those slopes.

I would hope that Council would give some consideration to the purpose of Council Bill 2305, review it again and begin to more seriously look at what we can do to help people who live in sloped areas, either by way of grants to assist them in stabilizing the hillsides near their homes or a loan program that will assist them.

I think that it is very important that we address all the major problems in our City and certainly when 30 percent of our land is on a slope I think that's a major problem we need to address. I am not suggesting that we do not address problems as they come up but I do think that there's much more that we could do for homeowners and businesses that might be in peril because of the shifting of some of our slope areas.

I will be introducing another bill similar to 2305 and I hope that members of Council will give that bill serious consideration.

Mrs. Masloff presents

Bill No. 801 Resolution approving the appointment of John D. O'Connor of Pittsburgh, PA as an at-large member of the Pittsburgh Cable Communications Advisory Committee for a term to expire December 31, 1984.

Mrs. Masloff moved to approve the appointment.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mrs. Masloff:

Mr. President, there's one thing I would like to say. I have before me a draft, and it's only a draft, which I have prepared and will put into some kind of shape and give all members copies of this. But the reason I'm bringing it up at

the moment is so that they can put it on their calendars. I have proposed a meeting schedule concerning Warner Cable Corporation's request for approval to transfer ownership of the Pittsburgh cable system to Telecommunications, TCI. I propose that on June 26 at 10:00 a.m., TCI representatives will present to Pittsburgh City Council the company's proposal for the transfer of ownership of the Pittsburgh cable system. I propose that on Tuesday, July 10 at 10:00 a.m., TCI representatives will appear before City Council to answer questions concerning the company's proposal. On that same day, Tuesday, July 10, at 7:00 p.m., TCI representatives will appear before the Pittsburgh Cable Communications Advisory Committee to answer their questions concerning the company's proposal. Finally, on Tuesday, July 24, at 10:00 a.m., I suggest that Pittsburgh City Council have a public hearing on the TCI proposal.

All of the above meetings will be cablecast live and replayed the same evening at 7:00 p.m. and on the following weekends on the City of Pittsburgh's cable channel, Channel 17, on the Warner Cable System. All meetings will be held in City Council Chambers and are open to the public.

This is only for your information and I will make copies of this for each Councilmember for their calendars.

Mr. Woods:

That's one of the things I wanted to ask, that she would make us copies of that.

Secondly, June 26, Sophie, you're just going to give us their proposal?

Mrs. Masloff:

They will come in and present it to us formally. This is the plan.

Mr. Woods:

But we're not going to get into questions and answers with them then? It will be on July 10?

Mrs. Masloff:

They contend that they will make a brief statement when they present this. Briefly. No questions and answers. That will give us several weeks in which to look over the documents. Then on the 10th, they will appear again at 10:00 a.m., Tuesday, July 10th, to answer question.

Subsequently, two weeks later, we will then have the public hearing.

The Chair:

Any chance of the 10th being the 12th?

Mrs. Masloff:

Well, the Advisory Committee meets on that night. Then they thought they could do both in one day; address us and then the Advisory Committee.

Mr. Robinson:

Mr. President, on at least two occasions I have forwarded communications to Warner Cable of Pittsburgh as Chairman of Council's Task Force on Investment Policies and Business Practices but unable to get a response or at least I have not received a response to date. Perhaps Mrs. Masloff could be of some assistance in getting for me the information that I'm requesting.

My concern at this point, there are two things. One, as Chairman of the

Task Force, I am concerned about Warner's investment policies and business practices. I think it is very germane to the proposed sale that we know where Warner invests its money because that certainly will give us some indication as to its fiscal solvency. As far as the Task Force is concerned, the fact that we're in business with Warner Cable, I think its incumbent upon us to ask them the same kinds of questions that we would ask of anybody who's doing business with us. If there is some problem with Warner providing that information, I'm unaware of it because there has been no response to that inquiry which was made several weeks ago. I have a heightened interest inasmuch as the issue of the proposed sale seems to be moving along pretty quickly and it appears that Warner is somewhat reluctant to provide to the City of Pittsburgh, or its representatives, specific information. I would hope that I would be able to get this information or if someone could explain to me why I shouldn't have that information relative to their investment policies and their business practices.

The Chair:

I suggest you send a follow up letter on that last one.

Mrs. Masloff:

I suggest that you put that in writing for me, Bill, and I will assure you you will have answers.

Mr. Robinson:

Fine. Thank you.

My second concern relates to my position as Chairman of Planning, Housing and Development. I forwarded a letter to Warner Cable relative to the sale and it was in response to a letter that I received from the President, Mr. Bent. Mr. Bent had responded to a letter I sent to Mr. Lewis who is the Chairman of the Board of Warner Amex. One of the concerns that I had raised in my letter to Mr. Lewis was the issue of minority business development, not only in reference to Warner Cable in Pittsburgh but throughout the Warner Amex system. Mr. Bent's response to me did not specifically address the issue of minority business development. My letter to him asked for some details of what specifically Warner Cable was doing in the area of minority business development. Again, I have not been able to get a response. I recognize that the proposed sale is probably taking precedent but I think that again it's incumbent upon those who are doing business with us to at least try to provide us with information that we may be asking of others. If indeed Warner Cable has a minority business program, we should be able to identify it and we should be able to identify some results of it.

Again, if Mrs. Masloff could be of some help in trying to secure that information or at least secure some sort of reply, that reply might indicate that the information is unavailable. From all that I have read in correspondence with Mr. Lewis and Mr. Bent, there is a program, there is a system wide program and there's one in Pittsburgh. But I have been unable to find the details of what that program is and I'd like to have that information as soon as possible.

The Chair:

Okay.

Mr. Woods moved to excuse Michelle Madoff for absence from the meeting.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mrs. Masloff moved to approve the Minutes of Monday, May 7, 1984.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Woods moved to recess this meeting and meet Wednesday, May 23, 1984 immediately following the 10:00 a.m. Finance Meeting.

Mr. Wagner seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Woods**

Council recessed.

Pittsburgh, PA
Wednesday, May 23, 1984

And the hour of 11:00 o'clock, A.M., having arrived and the time of recess having expired, Council reconveded and there were present:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

ABSENT:

Michelle Madoff

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

REPORT OF COMMITTEE

Mr. Woods presented

Bill No. 802

Report of the Committee on Finance for May 23, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 709

A Resolution entitled, "Resolution amending Resolution No. 1165, enacted December 19, 1983, entitled, 'A Resolution of the City of Pittsburgh authorizing the City to increase its lease rental debt by entering into a Supporting Agreement with the Public Auditorium Authority of Pittsburgh and Allegheny County requiring annual payments of the City of Pittsburgh of one-half of the principal and interest of said Authority's Auditorium Bonds, Series D, which will be issued by the Authority in the aggregate principal amount of $7,500,000.00,' by setting forth the debt service schedule of the bonds."

Which was read.

Mr. Givens:

Discussion. Mr. President, I'm a little bit concerned about this bill and I want to know if there's anybody here from the Treasurer Department to answer when the UDAG agreement was signed. Does anybody know?

The Chair:

Six months ago.

Mr. Givens:

It was six months when we asked for it and applied for it.

Mr. Robinson:

Mr. President and members of Council, the UDAG grants, approximately $20 million, has been awarded to the City of Pittsburgh. Prior to that grant being accepted by them, there are several other projects that have to be approved; one is the Historical issue that has not yet been resolved. Mr. Lurcott and someone from his department are in Harrisburg today to resolve those matters with the State. There is also the issue of the Environment Impact Study.

These are technical matters at this point and we should be actually receiving written notification that we could use those UDAG monies within the next ten days, Money has been allocated to the City of Pittsburgh. I don't know of anything at this point that will keep us from getting that money.

Mr. Givens:

So you are saying right now that we don't have a permanent agreement on the UDAG?

Mr. Robinson:

Not a permanent agreement. HUD has approved our application; they have approved it and obviously we will get it.

Mr. Givens:

That is my concern. If you will look back —

The Chair:

Excuse me, Mr. Givens. He said 17; we asked for 20 or 21 but I think we only got 17.

Mr. Robinson:

Yes. We actually got $17 million. The shortfall was anticipated to be made up by the private sector so if we did not get the $20 million requested from the UDAG grant, the private sector, through the foundation, would make up the difference. So they will making up the $3 million difference.

Mr. Givens:

My point is that the Mayor made it public back in November, the middle of November, that is particular Stanley Theatre Improvement and the Allegheny International —

This Council then had for a period of 9 December and a short period after that this whole plan including $7.5 million would be shared equally between Allegheny County and that of the City of Pittsburgh. And here we are today, almost at the end of May, and we come in with a bonding issue. I get very disturbed, when in fact this Council had given approval for this whole program to go forward in the month of December. All we have to do is just look at this one diagram to see where the bond rate was in the month of December. They started action in January and here we are at May 17th when they, May 14 when they went out, the week of May 14th, and I have to say they didn't have a crystal ball and it shot back up again even between the lower rates right here at the end of January and the beginning of February and everybody knew that the economy would go and it is still going up.

The Chair:

One problem. You can't go out until you get your approval.

Mr. Givens:

I know that.

The Chair:

We only got that for a month.

Mr. Givens:

Anyway, we have bonding agencies that were supposed to go out and save us money and my feeling is here because we did not go out between the time that Council approved, as we approve many of our bond issues, until the final vote comes up, always the interest rates that we are using. I get tired of this going on and again today I sit here and the same scenario happens year after year after year, and what are we in Council going to do about it? That's my only question. I think if we are going to give approval and the County gives approval and if everyone is agreeing with us and the UDAG grant is going along very nicely, that we should have gone out as quickly as possible and be ready to go this week before the market opens up. This doesn't indicate to me good planning material. I think somewhere along the line Council has to be looking —

This action today, and putting it in dollars and cents if you want to put it that way, as I look at this one chart, and it's their chart not mine, is costing the taxpayers of the City of Pittsburgh $1 million and the County taxpayers, of which we are a part, $1 million. We look at the County and the City, it is still coming from our pocketbook because we pay taxes to both bodies and that $2 million costs us and that 15 years versus 25 years, according to that diagram, it goes from 9.4 to 11.70. They say here the total true interest cost is 10.976 or 11 percent. So, that to me, is a little startling and everyone knows that we want the Stanley Theatre. My God that would be a beauty and it will be next to the Convention Center and we will be bringing in there the types of events that we want to have in the City of Pittsburgh. But I don't want to sit here day after day, month after month, year after year, having to argue this particular point and people telling me that I don't know something about finances.

Mr. Robinson:

Mr. President and members of Council, if I might, I would just like to comment on the fine job that Rudy Jordon did from Bear Stearns. I think there were a number of circumstances and a number of people involved in putting this financial package together which cost us to restructure the deal. I believe that about two weeks ago I raised the question about the deal being restructured and I raised about the rates being restructured. It's still not believed that we probably could have gotten a better deal if we simply looked at the numbers. I think that when you look at the total project and what it is that the City and the County are attempting to do, the financing mechanism and the fact that much of the financing was out of the control of the City of Pittsburgh and we had to wait for certain approval that we probably have a very good total package.

I think that at all times we should try to lessen the burden on the City and that was my concern about the deal that presented to us about two weeks ago. I think some adjustments were made, I think Mr. Jordon needs to be commended for putting in a lot of time and effort to

do that and I think also that Mr. Schmeiser agrees that we have a financial package and that while it is perhaps not the best, I think in the long run the revenues that will be generated from this total project will indeed prove to be substantial and I think after the 15 year period, the period in which the bond will be sold and redeemed, that our benefit, our financial benefit alone, will be substantial.

I think that we certainly have learned enough from this grant; I think we have learned that there are many things that we can and cannot do, but as someone said earlier, there is probably always an optimum time to go out on a bond sale. Unfortunately, I think that anyone hasn't been able to calculate such that all factors come together at the exact right time. I would hope that in supporting this bond sale and this project, that this Council keep in mind that what we are doing is a prime example of making our City a more special place than it already is and that we have indeed reduced and minimized the obligation to the public which in the long run the public is going to benefit from the project.

Mr. Woods:

Call the question.

The Chair:

I think something has to be cleared up here; we can't leave it where it is going. First and foremost, you can't go out on this bond issue until you need the money and whether it is known or not known there was a great deal of influence. It started in Washington, D.C. with this UDAG because we are competing with projects across the United States of America and it is not something easy. We could not afford to go out last December nor last January on the bond issue because if we didn't get the approval from the federal people we would have had a bond indebtedness for this money with nothing to match. The additional one is if we got the money and we invested the money, even though we didn't have the federal monies, we would have been charged with arbitrage. So, the only effective time to start when we considered interest rates is not what happened last year or two years ago but from the day that we got the UDAG grant. I happen to serve on the Cultural Trust Committee and I think those people have done an excellent job and it would be grossly unfair to suggest at all that they haven't done exactly what they are responsible for doing. I think the record ought to be clear in that aspect because it's unfair for people who exert the kind of effort that I have seen displayed on one of the finest committees that I have had the opportunity to work on and I have seen them do very diligent work and, even though they aren't being paid for it, they could not have worked as hard as they have worked on that particular effort. And I just want it very carefully understood that you can't talk about bond interst in January; you can only talk after you receive the monies which now is not even a month right now.

Mr. Givens:

Maybe the question should be answered on this bill. On the UDAG grant itself, Ron, when was the UDAG grant given approval from HUD?

Mr. Grabowski:

Mr. President, I object to Mr. Schmeiser —

Mr. Givens:

I have not yielded the floor to anyone.

Mr. Grabowski:

Point of Order, Mr. President.

The Chair:

He's right. Mr. Grabowski is right.

Mr. Grabowski:

I object to Mr. Schmeiser speaking at this Legislation session. He had an opportunity to come to the Finance meeting.

Mr. Givens:

Excuse me, Point of Order. The Director of any department can be summoned by any member of this Council to speak before the Legislation session.

Mr. Grabowski:

Yes, but I object and when one member objects —

Mr. Givens:

No.

The Chair:

The Director can be called, anyone but the Director, no. Mr. St. Johns?

Mr. Givens:

I don't think it has to be looked up. All I want to do is ask one simple question.

The Chair:

What do you want?

Mr. Givens:

I want to know when was the UDAG approved. I was not here.

The Chair:

We had a meeting last month and that's when they reported to us, about a couple days before that —

Mr. Givens:

Ron, when did we receive notification that, official notification —

Mr. Grabowski:

Mr. President —

The Chair:

Steve, I think my understanding of the ruling is anyone other than a Director, you need approval.

Mr. Grabowski:

I would like to hear from our Parliamentarian.

Parliamentarian:

At the Committee Meeting, no person shall be heard or seated at the Committee Table unless invited by the Chairman of the Committee session with unanimous consent of the members present subject to the other sections which is the press and this is not a Committee Meeting, it's a Councilmatic meeting and I would think that if anybody objects —

The Chair:

Then I stand corrected; Mr. Grabowski is correct. Now, if you will tell me, Mr. Schmeiser, maybe I can tell them.

Director Schmeiser:

The end of March.

The Chair:

The end of March.

Mr. Woods:

Call the question.

Mr. Givens:

I am abstaining and I object to this particular bonding issue. I looked at the schedule on the second page, particularly the month of March where it was generally around that particular time, the rates were under 10 and I see that the yieled that we are looking at right now is almost directly below 11 percent. I have to say that we had a lot of time between that and then to move and move very quickly. Just that one month has indicated that since the last, since May 14 has gone upward the spiral very inadequate, but people our people, that we get for bond counseling, I don't care who it is, if they are my friends or not my friends, if they cost the taxpayers of the City of Pittsburgh $2 million and we have given the taxpayers of the City of Pittsburgh the idea that we had that UDAG grant pulled out of the air and it is not. That UDAG grant is our federal dollars being returned to us and that's another $20 million that we have given this particular development.

I did not estimate in any way, shape or form, what the performances and what the public sector has been trying to do down there. You read that into the Record, I did not; that was not my particular statement. In fact, I commend them for all the work that has been done, Allegheny Conference, the Mayor and everybody else. But I do not condone that we cannot move more quickly and more rapidly when we give approval in this Council. A mechanism should have been set up the day that UDAG, and there was no reason to hold it back, was given approval and we should have moved immediately when we though that market was best. If you think it was best on May 14, you just cost the taxpayers $2 million.

For that reason I object.

Mr. Grabowski:

Mr. President, I am going to vote yes on this bill but reluctantly. The only reason I am voting yes is, back in December, Council made a commitment and I feel an obligation to the public and the prior commitments.

For that reason I vote yes.

The Chair:

I vote aye with this comment. I think this project that we are funding is probably one of the best innovative ideas this City has ever come up with; it's an operation whereby we would be funding some of our cultural events. The people that came up with that system need to be commended by us for doing a good program for the overall future of the City and cultural aspects of it.

I, again, send my best wishes as the President of City Concil and congratulations to everyone who had anything to do with this project and it's artistic value and it's financial interest and any other way that I have not mentioned at this time.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

(MR. GIVENS ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

The Chair:

I want to remind all Councilmembers that we have a meeting in the conference room in the Water Department right after this meeting.

Mr. Robinson moved to excuse Michelle Madoff for absence from the meeting.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Woods:

I move to adjourn and meet again on Tuesday, May 29, 1984 at 2:00 p.m.

Mr. Wagner seconded the motion.

And on the motion of **Mr. Woods**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Tuesday, May 29, 1984 No. 22

Municipal Record

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Tuesday, May 29, 1984

PRESENT:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Mallev	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Michelle Madoff:

For the benefit of evervbodv who's been wondering where I've been, I think I ough to tell evervbodv, I think it's important, I have been out because I have a congenital prolapse microvalve. Twenty percent of the female population has it; Anderson, who ran for President, suffers from it and a lot of tension, a lot of pressure, can bring on symptoms and I've had some symptoms so you lay off me this coming year, Mr. Stone, and everybody behave yourselves. It's no worse than the Mayor having kidney stones.

So, I just wanted to go on the record and tell everybody that it is not dangerous; it just needs to be looked after with medication. I had gone off medication and I had some symptoms so I had to take it easy for a while until the medication started to work again.

The Chair:

Since everyone seems to have those reciprocal problems, can we get reciprocal return?

Michelle Madoff:

My ex-mother-in-law would say, "Kindness is returned with kindness". I always treat people as they treat me.

Now, the resolution. It is a great pleasure for me today to have a woman who really knows how to shoot from the lip. That is a line that was written by Ben Hayllar for Dave Matter about me and I wish I had thought of it; it's a great one-liner. Amy has been shooting from the lip for many years; she's been a liberated woman long before women's lib. As you know, she knows how to tell a good punch-line, etc. We've been good

friends for a very long time; a lot of people don't know it but Amy has been a supporter of mine for a very long time because she always felt that women belonged on this Council even though we didn't have a bathroom for women during Amy's reign on Council and after two years I'm happy to tell you that while you weren't here, Amy, we didn't get a new bathroom but what we did was have it shut down by the Board of Health, cleaned up so that everybody could use it and their mommies didn't teach them how to share but their learning and I'm sure that you'll have a few words about that.

It's with great pleasure that I introduce again to all her friends Amy Ballinger with a resolution.

Michelle Madoff presents

Bill No. 840 WHEREAS, the role of women needs to be expanded in society; and

WHEREAS, the accomplishments and achievements, both professionally and personally, of women in our society have largely been underrated; and

WHEREAS, Amy Ballinger first secured employment at Fort Pitt Laundry for 12¢ per hour, played a major role in the founding of Local Union No. 141, of the Laundry and Dry Cleaning International Union; and

WHEREAS, in 1937, she became Secretary/Treasurer of Local No. 141, a position she held until her retirement in 1983; and

WHEREAS, in 1939, Ms. Ballinger became the first woman elected to the Laundry and Dry Cleaning and Dyehouse Workers International Union Executive Board as an International Vice-President, and became the first woman elected to the Executive Board of the Allegheny County Labor Council, a position which she still holds; and

WHEREAS, in February 1942, the Mayor appointed Ms. Ballinger Secretary of the Pittsburgh Labor Committee for National Defense; and

WHEREAS, in 1958, she became International Vice-President on the Executive Board of the AFL-CIO Laundry and Dry Cleaning International Union; and

WHEREAS, in 1970, Ms. Ballinger was appointed to the Council of the City of Pittsburgh and elected to the position until her resignation in 1976; and

WHEREAS, during her term on Council she established a committee for Cable T.V., served on Lands and Buildings, and was active in the attempt to secure a convention center for the City of Pittsburgh.

NOW THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of Council of the City of Pittsburgh, on behalf of the citizens of Pittsburgh, hereby recognize Amy Ballinger as "Woman of the Month" because of her lifelong political activities and service to the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the City of Pittsburgh honors and commends Ms. Ballinger for her lifelong work forming, founding and leading Local No. 141, of the Laundry and Dry Cleaning International Union.

Michelle Madoff moved to adopt the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

Michelle Madoff:

I would like to point out that we have in the audience, and I wish they would stand please, Tom Fagan, Ralph Lynch, Sam Begler, Kay Federici, Louis Mackson, Benny Burton, Alma Burton, Shirley Marsh, Donald Marsh, Seymoure Hevison, and May Kalig. I'm sure there's some other friends but I would like at this time to invite the Mayor, Dick Caliguiri, to please come forward. I know he has a few choice words.

Mayor Caliguiri:

Thank you, Michelle.

You know, when Amy and I were on Council we both used the same bathroom. It didn't matter. It mattered to Walter Kamick at the time; I'll never for get the day that Amy and I walked in and there was Walter and I won't tell the rest of the story.

There are a lot of stories I could probably tell about Amy and the time that we spent on Council and the things that we did after Council but through it all it was a marvelous relationship and one certainly that I shall treasure forever because we did counsel one another, literally, and to have people like Amy, as it was pointed out in the resolution by Michelle, she did things when it wasn't fashionable and it takes a special person to do that. It takes a person with courage to speak out and to say the things and do the things for the good of our society and at that point for the good of women.

So, Amy, on behalf of all the people, as the resolution states, you are a person that we will have in these Chambers forever and one that I will have in my heart forever.

Thank you so much.

Louis Mackson:

I'd like to present these flowers to Amy from the Local 141 members. You know, Amy made the rose famous; you know the little rose that sticks on.

Mrs. Masloff:

I just want to say one word. I want to point out that I inherited the Cable Committee from Amy and whatever success that cable has had in Pittsburgh, it's due altogether to the groundwork that Amy put in place. I thank you for that, Amy.

Mr. Givens:

Amy, I think there's only about three of us elected officials that were in here when you had the opportunity to serve with Lou Mason and the whole gang at that time. They used to say we had a lot of fun on Council at that time and I can assure you that we did. Since you've left it hasn't been the same.

Mr. Robinson:

I had occasion to meet Ms. Ballinger during those days when cable TV was being first discussed here in the City and found her most informative, outspoken, courageous and certainly dedicated to the people of the City of Pittsburgh.

I also had the good fortune of taking her advice during my first and second time to run for City Council and found her always willing to help those of us who were new to politics and public service, always friendly, always helpful, and always very much proud of her service to the people of the City of Pittsburgh.

I consider her a friend and someone who this City dearly needs to continue to serve us.

The Chair:

Amy, if I may before we give you the microphone. I think evident by the distinguished leaders and labor leaders as well as the others who are present today, the high esteem with which they have held you in the labor movement, in this City Council and elsewhere, I think we all have a great deal of love for you, a great deal of respect for you, and it would be an understatement to say that this City hasn't been the same since you left it but on the other hand we would like you to know that there's always a welcome mat for Amy Ballinger in the City of Pittsburgh.

May God grant you many years and many times to come back and join us.

Ms. Ballinger:

What can I say with a presentation like this? I'm really almost at a loss for words and for me to say that is quite something. But what a pleasure it is to be back and see those with whom I served. I loved the job while I was here and we did have fun, I suppose because there wasn't as much put upon us at that time as there is today; the public is becoming more enlightened, and rightfully so. They want to know more and also rightfully so.

When I was here, there was only one restroom. It was for the men and I, as they said, and I might as well remark on it. I did put up the occupied sign when I thought of it; when I didn't, when I was in a hurry, well, I was just there and they came in. But with Michelle having here own, thank God she was able to do it; she did more than I was able. It reminds me much of the story of the three kids who asked were God was. One said, "God is in church". The teacher said to the other, "Where's God?" and he said, "God is all over." She said to the third, "Where's God?" and he said, "God is in the bathroom". The teacher said, "Why do you say that?" and he said, "Because every time my daddy knocks on the door he says, 'My God, are you still in there!'". And so it was in my day.

Anyway, I'm happy to be here. I'm not going to bother with a long speech. I could go into the things that the Mayor and I did together; I don't know if you would be interested in hearing them or not. I know one time he said, "Let's have a quickie" and before he got the cork off the bottle I had my pants off. Those were the days in Council.

You know, like Senator Dirkson when he sent the bird home to his wife and he came home and he said, "Where's that bird I sent you as a gift?" She said, "It's in the oven." He said, "What? In the oven? That bird spoke seven different languages." She said, "Well hell, why didn't it speak up?"

So, that's what I did when I was in City Council, that's what Michelle has to do, and Sophie, because the women, we have to speak up or we won't get anywhere; we'll be working under you guys all our lives and what fun is that today? With six and a half more million women in this country than men, we really have to do a job, not only for sociability's sake but for every other sake.

We have to really work twice as hard and that's what we try to do and we have become successful. In my day it wasn't easy and who would remember it more than Tom Fagan and how happy I am to see him here. I can remember when I first got into the union in 1937. I

didn't know how to make a speech; I was never before a microphone. He invited me into his union hall. Well, in 1937, I want to tell you, they were rough and tough tumble members. I walked in and they're all eying me; I didn't know if they had guns or what they had. Of course they were looking at my boobs like everybody does. But I took the microphone and I stood there and nothing came out of my mouth. Finally he said, "Say something, Amy." What I said I don't really remember. But that was my first experience walking into the Teamsters' Hall in 1937 and I shall never forget it. Thanks, Tom, for having me there because if it hadn't been for you I probably would have never been as successful in the labor movement.

Of course working with Sam Begler, Sam and I have worked together so long, you know, we old enough to think happy hour is a nap. Anyway, Sam has been very helpful in my having the success that I have in the past number of years. I'm now in Florida; I'd love you to visit me when you have time. Of course, I don't have an additional bedroom so I can't invite you to stay. But there's always motel rooms. One thing about me, I'm not free but I'm reasonable.

Thank you very much.

Michelle Madoff:

Ladies and gentlemen, if Amy ever needed another job, I think she could become a nightclub stand up act. But despite all the facade, I think what Amy has really succinctly pointed out, she really was the first women's lib that I know in the City in government. She's a little salty in her speech but she has accomplished things that many women must respect. We may not always say that we like the brassy person that's out front; I know I've been accused of the same thing, Amy, you know, the brassy, outspoken woman who says the unpleasant things sometimes, people don't like to hear it. If a man does it it's leadership, if a woman does it we're out of line, we're big mouths.

It's a tough world, gentlemen, for women and if you support women and you support Amy, there are a lot of us around, there are a lot of women who need support in government.

The Chair:

Amy on your way, let me just say we're kind of glad that you added those little tidbits because it wouldn't be the same unless we had those from you. Thank you much.

I'd like to take this time to introduce Mr. Tom Fagan who served on this Council and served admirably and well for the City of Pittsburgh. I'm honored to have been his successor on this Council and, as I've indicated, he served well and the City has benefitted by his work, not only on this Council but as well in the labor movement.

Tom, I didn't want to let it pass without that comment. Thank you much.

Mr. Fagan:

Thanks Bob, and to all the City Councilmen and Councilwomen I'd like to wish them my best. These are difficult times but you have to have the courage to live up to them and, as far as I'm concerned, you are and I wish you all the best. Thank you.

Mr. Givens presented

No. 803 Resolution vacating a portion of Ravenna Street in the 7th Ward of the City of Pittsburgh from the westerly right-of-way line of Shady Avenue for a distance of 847.49 feet

therefrom in a westerly direction.

Also,

No. 804 Resolution vacating a portion of Carron Street in the 7th Ward of the City of Pittsburgh from the Southerly right-of-way line of Ravenna Street for a distance of 15.33 feet therefrom in a southerly direction.

Also,

No. 805 Resolution vacating a portion of Yardley Way in the 7th Ward of the City of Pittsburgh from the southerly right-of-way line of Ravenna Street for a distance of 60.43 feet therefrom in a southerly direction.

Also,

No. 806 Resolution vacating a portion of Melmore Way in the 7th Ward of the City of Pittsburgh (Section A) from the southwesterly right-of-way line of Penn due for a distance of 202.70 feet therefrom in a southwesterly direction and (Section B) from the southerly right-of-way line of Shakespeare Street for a distance of 20.26 feet therefrom in a southerly direction.

Also,

No. 807 Resolution vacating a portion of Swope Street in the 7th Ward of the City of Pittsburgh from the southerly right-of-way line of Ravenna Street for a distance of 96.28 feet therefrom in a southerly direction.

Also,

No. 808 Resolution vacating a portion of Shady Avenue in the 7th Ward of the City of Pittsburgh from the southerly right-of-way line of Penn Avenue for a distance of 355.25 feet therefrom in a southerly direction.

Also,

No. 809 Resolution vacating a portion of Emerson Street in the 7th Ward of the City of Pittsburgh from the southerly right-of-way line of Ravenna Street for a distance of 83.22 feet therefrom in a southerly direction.

Also,

No. 810 Resolution vacating a portion of Shakespeare Street in the 7th Ward of the City of Pittsburgh from the southerly right-of-way property line of Port Authority of Allegheny County East Busway for a distance of 156.47 feet therefrom in a northwesterly direction.

Which were severally read and referred to the Committee on Public Works.

Also,

No. 811 Resolution providing for an Agreement or Agreements with the Bloomfield Youth Athletic Association for professional services during 1984, at a cost not to exceed $5,000.00 chargeable to and payable from Code Account No. 1838, Recreational Activities, Misc. Services, in the Dept. of Parks & Recreation, and transferring $5,000.00 from Code Account No. 10, Accounts Payable Prior Years, to Code Account No. 1838, Misc. Services, Dept. of Parks and Recreation. — **(SPONSORED BY MR. GIVENS)**

Which was read and referred to the Committee on Parks and Recreation.

Mr. Grabowski presented

No. 812 Communication from George W. Jacoby, Director, Dept. of General Services, requesting authorization for Brother Richard Emenecker to attend a telephone conference in Berkeley, California, on

May 24-25, 1984, at a cost not to exceed $1,300.00 payable from Code Account No. 1128, Misc. Expenses, Dept. of General Services. Prior approval granted by Council Bill No. 599, approving attendance at the AT&T Divestiture Conference May 17-19, 1984 in Washington, D.C. This conference was cancelled by the National League of Cities and is now being held in Berkeley, California.

Which was read and referred to the Committee on General Services.

Michelle Madoff presented

No. 813 Resolution providing for the issuance of a warrant in favor of PB&S Chemical Company, Section 970, Louisville, Kentucky, 40289, in the amount of $900.00 in payment for demurrage charges furnished for the benefit of the City in connection with delivery of liquid chlorine to the Water Treatment Plant, at a cost not to exceed $900.00 chargeable to and payable from Code Account No. 1938 (193805) Chemicals.

Which was read and referred to the Committee on Finance.

Mrs. Masloff presented

No. 814 Resolution authorizing the issuance of a warrant in favor of Alleghenv Business Machines Inc., in the amount of $561.94, for payment for repair services to office equipment, payable from Code Account No. 1801, Misc. Services, Dept. of Parks and Recreation. Prior approval granted by Council Bill No. 667, dated May 10, 1984.

Which was read and referred to the Committee on Finance.

Also,

No. 815 Resolution providing for an Agreement or Agreements with an independent contractor to provide professional services in connection with the Dept. of Parks and Recreation's recreational programs, at a cost not to exceed $10,000.00 payable from Code Account Special Parks Programs Trust Fund, SPPTF (254359), Dept. of Parks and Recreation.

Also,

No. 816 Resolution providing for authorization to enter into an Agreement or Agreements with various contractors for services in conjunction with the 1984 City Wide Events, at a cost not to exceed $15,000.00 chargeable to and payable from Special Parks Program Trust Fund (SPPTF) Code 254359, Recreational Activities, Citv Wide Events, Dept. of Parks and Recreation.

Which were read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 817 Resolution providing for the letting of a Contract or Contracts, and/or the use of existing Contracts, for the furnishing, deliverv, and installation of a diazo printer for the Department of City Planning, at a cost not to exceed $13,000.00 payable from Code Account No. 1106, Index Code 110601, Equipment, Department of City Planning; and transferring the amount of $13,000.00 from Code Account 46, Index Code 004606), Judgments and Interest on Judgments to Code Account 1106, Index Code 110601, Equipment, Department of City Planning.

Which was read and referred to the Committee on General Services.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bill

only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Also,

No. 818 Resolution providing for the issuance of a Certificate of Appropriateness for exterior work to be done on the residential structure in the Manchester Historic District at 1410-12 Sheffield Street (Block and Lot 22-P-254 and 255) in the 21st Ward also exterior work to be done on the exterior of the residential structures in the Mexican War Streets Historic District at 609 N. Taylor Avenue (Block and Lot 23-J-294) and 1217 Resaca Place (Block and Lot 23-J-235) in the 22nd Ward.

Also,

No. 819 Communication from Robert H. Lurcott, Director, Dept. of City Planning, requesting authorization for himself and Caroline Boyce to attend a meeting on the Historic Preservation of the Stanley Theater project in Harrisburg on May 24, 1984, at a cost not to exceed $550.00 payable from Code Account No. 1103, Misc. Services. Prior approval granted by Council May 14, 1984.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 820 Resolution amending Res. No. 355, approved April 27, 1984, eff. May 7, 1984, entitled, "Providing for the issuance of a warrant in favor of Spiniello Construction Company (Charles A. DiNardo, Vice President), in the amount of $74,700.00, in payment for Extra Work being in addition to the original contract price of $396,765.55, on Controller's Contract No. 26253, furnished for the benefit of the City in connection with the cleaning, repaving and cement lining of a 42-1/2" main in Baker and Butler Streets, and providing for the payment thereof," by amending Section 1 to include the amount of the warrant to be issued; chargeable to and payable from Code Account No. WD-82-03, 4-13-48-0100-82, Clean, Repair, Cement Line Waterlines at Various Locations, Index Code No. 310656.

Which was read and referred to the Committee on Finance.

Also,

No. 821 Resolution providing for a Contract or Contracts or the use of existing Contracts for the refurbishing of Council Chamber on the Fifth Floor of the City-County Building, at a cost not to exceed $30,000.00 chargeable to and payable from Code Account LB 84-10 (4-13-95-0001-84) Renovations of Public Buildings, Department of Engineering and Construction.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. Woods presented

No. 822 Resolution providing for an Agreement or Agreements with Volpe-Rogal Inc. (Charles Volpe and Alvin Rogal) for professional services in connection with the administration of the Workers' Compensation Program, at a cost not to exceed $504,000.00 chargeable to and payable from Code Account 44, Workmens Compensation Fund, Index Code 004408, Dept. of Finance.

Also,

No. 823 Resolution authorizing the Mayor and the Director of Finance to secure a Surety Bond and Excess Loss Workers' Compensation Insurance Policy in the amount of $5,000,000.00 to further secure its worker's compensation program, at a cost not to exceed $145,000.00 chargeable to and payable from Code Account 44 Workers Compensation.

Which were read and referred to the Committee on Finance.

Mr. Woods moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 824 Resolution providing for the issuance of a warrant to Ella VanKirk Craig and David W. Craig, her husband, c/o Thomas Hollander, Esquire, 711 Frick Building, Pgh., PA 15219, in the amount of $27,500.00 in full settlement of a claim for personal injuries, arising from an accident on April 25, 1981 at the Highland Park Zoo, payable from Code Account No. 46, Index Code No. 004606, Judgments.

Also,

No. 825 Resolution providing for the issuance of a warrant in favor of Milt Lupus, c/o Financial Management Services, in the amount of $3,900.00, for services rendered to Pittsburgh City Council in conjunction with a review of the financing plan presented for the proposed Pittsburgh Water & Sewer Authority, chargeable to and payable from Code Account No. 1001-1, Misc. Services, Supplies, Equipment, etc., City Council, and City Clerk's Office, Index Code 100115.

Also,

No. 826 Resolution providing for the issuance of warrants in the aggregate amount not to exceed $15,000.00 in favor of persons who provide professional proctoring and coordinating services for the benefit of the City in connection with the administration of the Dept. of Personnel and Civil Service Commission's 1984 Entry Level Police Officer Examinations, payable from Code Account No. 1100, Misc. Services, Dept. of Personnel and Civil Service Commission.

Also,

No. 827 Resolution providing for a Lease Agreement between the City of Pittsburgh, Dept. of Personnel and Civil Service Commission and the Public Auditorium Authority of Pittsburgh and Allegheny County for the administration of the Dept. of Personnel and Civil Service Commission's Entry Level Police Officer Examination on Saturday, June 23, 1984, at a cost not to exceed $10,000.00 payable from Code Account

No. 1100, Misc. Services, Dept. of Personnel and Civil Service Commission.

Also,

No. 828 Resolution providing for an Agreement with the Pittsburgh-Allegheny County PIC in connection with excess PIC Planning Grant funds and providing for the receipt by the City of one-half of the excess funds received by the Pittsburgh-Allegheny County PIC, at a cost not to exceed $24,000.00 payable from the JTPA-I Trust Fund, federal funds.

Also,

No. 829 Resolution providing for an Agreement with Arthur Young and Company for professional services in connection with the development of an Indirect Cost Allocation Plan for submission to the Federal Government, at a cost not to exceed $20,000.00 payable from Code Account No. 1063, Misc. Services, Dept. of Finance.

Also,

No. 830 Communication from Melanie Smith, Director, Dept. of Personnel, requesting authorization for Georgine Scarpino to attend a Manpower Conference in New York City, New York, on July 19-21, 1984, at a cost not to exceed $125.00 payable from JTPA-I Trust Fund. The purpose of the conference is to bring the pilot sites together to share experiences, exchange ideas and information, and learn from one another.

Also,

No. 831 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, requesting authorization for Laureen Stillwagon to attend a Human Dynamics Seminar in Greentree, Pennsylvania, on July 13, 1984, at a cost not to exceed $135.00 payable from Code Account No. 1017, Misc. Services.

Which were severally read and referred to the Committee on Finance.

Also,

No. 832 An Ordinance amending and supplementing the Pittsburgh Code, Title Seven - Business Licensing, Article VII, Service Businesses, Chapter 763, Parking Lots, by adding a new Section 763.08 entitled "Disabled Parking" and renumbering Section 763.08, License Fees, to Section 763.12. — **(SPONSORED BY MR. WOODS)**

Which was read and referred to the Committee on Public Safety.

UNFINISHED BUSINESS

The Chair presents

Bill No. 770 Resolution approving the appointment of Mr. Paul Imhoff of 1407 Rydale Street, Pittsburgh, PA 15205 to the Historic Review Commission for a term to expire December, 1986.

Which was read.

Mr. Woods moved to approve the appointment.

Mr. Robinson seconded the motion.

Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 833

Report of the Committee on Finance for May 23, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 731

A Resolution entitled, "Resolution transferring the aggregate amount of $350,000.00 (Three Hundred Fifty Thousand dollars) from Code Account 57 (005702) Social Security Fund in the Department of Finance to Code Account SPP (254359), Special Parks Programs the amount of $60,000.00 (Sixty Thousand Dollars) and to Code Account SSFSP (270256) Special Summer Food Service Program the amount of $290,000.00 (Two Hundred Ninety Thousand Dollars) in the Department of Finance."

Which was read.

Also,

Bill No. 735

A Resolution entitled, "Resolution authorizing the transfer of Two Hundred Forty Five Thousand Five Hundred Twenty Six Dollars and Thirty-seven Cents ($245,526.37) from the 1983 Community Development Block Grant Program Trust Fund, Code Account CDCPS, Project No. 4-35-01-0001-83-49-83-35 to the General Fund for the City of Pittsburgh for reimbursement of Salaries, Wages and Fringe Benefits paid to employees in support of the City's Community Development Block Grant Program."

Which was read.

Also,

Bill No. 736

A Resolution entitled, "Resolution providing for authorization and transfer of funds to the General Fund of the City of Pittsburgh for reimbursement of Indirect Cost for the Community Development Block Grant Program."

Which was read.

Also,

Bill No. 737

A Resolution entitled, "Resolution authorizing the transfer of Two Hundred Thirty Nine Thousand Nine Hundred Eighty Six Dollars and Ninety-Four Cents ($239,986.94) from the 1982 Community Development Block Grant Trust Fund, Code Account CDFD, Project No. 4-27-10-0006-82-15-82-27 to the General Fund of the City of Pittsburgh for reimbursement of Salaries, Wages and Fringe Benefits paid to employees in support of the City's 1983 Community Development Block Grant Program."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The aves and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 745

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Thomas E. O'Brien, Inc. (Gene Ravman, Manager), in the amount of $18,855.00, in payment for Extra Work, being in addition to the original contract price of $255,867.75, on Controller's Contract No. 26428, in connection with the waterline installations on Third Avenue, Fourth Avenue and Market Street; and providing for the pavment of the cost thereof."

Which was read.

Also,

Bill No. 746

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Troxler Electronic Laboratories, Inc., in the amount of $579.17, in payment of repairs made to the Troxler 3401, Roadreader, at the Bureau of Testing Laboratory; and providing for the pavment thereof."

Which was read.

Also,

Bill No. 748

A Resolution entitled, "Resolution providing for the issuance of a warrant to Anita H. Kostman and Leo Kostman, c/o Thomas Hollander, Esquire, 711 Frick Building, Pittsburgh., Pennsylvania 15219, in the amount of $2,500.00 in full settlement of a claim for personal injuries and property damage and providing for the pavment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeablv to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 749

A Resolution entitled, "Resolution transferring the sum of four thousand five hundred ($4,500.00) dollars from Code Account 1017 (101709), Miscellaneous Services, Office of the Mayor, to Code Account 1018 (101808), Supples, Office of the Mayor."

Which was read.

Also,

Bill No. 751

A Resolution entitled, "Resolution

authorizing the sale of eight (8) properties in the 22nd and 23rd Wards of the City of Pittsburgh to the Pennsylvania Department of Transportation for the total sum of $84,755.00."

Which was read.

Also,

Bill No. 752

A Resolution entitled, "Resolution providing for the sale of City owned property in the 10th Ward on Butler Street, designated as Block 80-D, Lot 1 to Daniel J. McGreevey for the sum of $22,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 781

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of the U. S. Department of Labor in the amount of $25,881.21 to return amounts collected from CETA subcontractors and vendors and in payment of disallowed costs in the City CETA Program."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 782

A Resolution entitled, "Resolution authorizing the transfer of five hundred thirty five dollars and twenty one cents ($535.21) from Code Account 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission (110007) to the CETA Trust Fund, federal funds, (260059) to pay disallowed costs of the City CETA Program."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

Bill No. 834

Report of the Committee on Public Works for May 23, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 728

A Resolution entitled, "Resolution amending Resolution No. 203, approved March 17, 1982, effective March 25, 1982, entitled, 'Resolution providing for the authorization of an Agreement or Agreements or use of existing Agreements with Pennsylvania One Call System to provide the City with a Public Works Street Opening Information System', by establishing an Agreement or Agreements, or the use of existing Agreements, on a year to year basis, at a cost not to exceed the annual appropriation, chargeable to and payable from the designated Code Account."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Robinson presented

Bill No. 835

Report of the Committee on Planning, Housing and Development for May 23, 1984 transmitting two ordinances and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 146

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Maps No'd. 7 & 12 by changing from "M2" Limited Industrial District to "R2" Two-Family Residence; "C3" & "C4" Commercial Districts certain property located in the area generally bounded by: MARION; WATSON; MOULTRIE; TUSTIN; GIST & LOCUST STREETS, 1st and 4th Wards." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The aves and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 290

An Ordinance entitled, "An Ordinance amending Chapter 959, "C5" Golden Traingle Districts of the Pittsburgh Code, Title Nine, Zoning, by Revising the Text: 1) concerning the regulation of structure height in the Monongahela River Side (First Side) area of "C5-C" District; 2) by providing for certain reduction of the normal required amount of Urban Open Space on limited sized lots in the "C5-C" District; and 3) by providing limited extensions or additions to existing structures in the "C5" District on limited sized lots with certain reduction of the normal required amount of Urban Open Space." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Robinson:

Mr. President and members of Council, if I might. Consistent with my presentation of last Wednesday, I would like to include with the bill another letter on this subject which I think will be helpful, or at least its contents will be helpful, in Council's deliberation. This letter is dated May 25, 1984 and comes from Mr. Charles C. Arensberg who is the Chairperson of the Pittsburgh History and Landmarks Foundation.

"Dear Mr. Robinson:

We support entirely the position of Mr. Joseph S. Mistick, Chairman of the Zoning Commission, in regard to the low elevations of buildings along the Monongahela River and on Firstside. Any allowance of high-rise buildings beyond that proposed by Mr. Mistick would be a serious detriment to Pittsburgh and the South Side area, including Station Square.

Pittsburgh is unique in the fact that its buildings do not obstruct the views of the rivers and hills beyond, but instead allows the taller highrises and skyscrapers to be concentrated in the central area of the Triangle. The low elevations of buildings in the Firstside area give a human scale to our City that must be preserved.

Pittsburgh History and Landmarks Foundation has resolved that it would oppose any changes to those recommended by Mr. Mistick.

Sincerely,

Charles C. Arensberg
Chairman"

A copy of this letter went to Mr. Joseph S. Mistick.

Mr. Wagner:

Mr. President, I'd like to amend this bill.

Michelle Madoff:

May I ask a question?

Mr. Wagner:

I think my amendment first would be proper.

Michelle Madoff:

Would you yield to just a question?

Mr. Wagner:

Go right ahead.

Michelle Madoff:

What was the recommendation of Mr. Mistick? I have not seen the letter.

The Chair:

He recommended what the Planning had given to us earlier.

Michelle Madoff:

Which was? One hundred and twenty to one hundred and eighty? I just wanted to be sure that I remembered it correctly. Thank you.

Mr. Wagner:

I move to amend Bill No. 290, Section 1A be deleting the words "Boulevard of the Allies" and replacing them with the words "Third Avenue" and by deleting the words "structures between Boulevard of the Allies and Third Avenue shall not exceed 385 feet".

Mr. Woods seconded the motion.

Michelle Madoff:

Opposed.

Which motion prevailed.

The Chair:

On the bill itself as amended.

Michelle Madoff:

As amended?

The Chair:

Yes.

Michelle Madoff:

Then I must talk about the bill in itself because if it goes as amended then the bill is passed with the 385 feet. Is that correct? The bill now reads, Mr. Stone, if I'm not incorrect, I was not here but the bill has been amended —

The Chair:

It's talking about a plane, Michelle. It's 180 at the shoreline and it goes up.

Michelle Madoff:

Three hundred and eighty-five.

Mr. Wagner:

At the present time, if I could clarify, Mr. President. The way the bill now reads, beginning at Fort Pitt Boulevard, a structure can have a maximum height of 180 feet and at Third Avenue it can have a maximum height of 385 feet. So, the Firstside area will have a slanting or pyramid effect equal to that of the Alleghenv side.

Michelle Madoff:

Excuse me. Would vou give me the numbers again. On the Boulevard of the Allies it would be what?

Mr. Wagner:

What I indicated was at the Fort Pitt Boulevard it would be 180 and at Third Avenue it will be 385.

Michelle Madoff:

So it's 180, 385 going back from the river.

Mr. Wagner:

Yes.

Michelle Madoff:

Right now it's 300, is that correct?

Mr. Wagner:

That's correct.

Michelle Madoff:

What happened to the 120 going up to 180 as a compromise?

The Chair:

It was amended.

Michelle Madoff:

And this was agreed upon by this Council?

The Chair:

This Council approved the amendment.

Mr. Givens:

It's 300 now, Michelle.

Michelle Madoff:

It's 300 now. I understand that. But the recommendations were to leave it as it is which I think are ridiculous because we don't have a Maryland waterfront, we have a major trafficway. We certainly aren't going to have outdoor cafes and we're certainly not going to have small little shops. But on the other hand I think we should be developing that property with some highrise to give a view of the river but I think we should keep it in scale and I think when you talk about going to 385 feet from 180, I think that is really not a compromise but a sellout. I would opt for no more than 120 as we first discussed, scaling from this end and not exceeding 300 at any point and 180 was the compromise. So I guess what I'm for is 120 to 180 period. That gives you plenty of room for highrise and a tremendous profit for the people who bought those properties very reasonable. This is a sellout because I think people think there's going to be some romancing done if we vote for that. I don't think it's correct for the community.

Mr. Wagner:

Mr. President, I'd just like to state that this is equal to the Allegheny side and during Councilwoman Madoff's absence in the last couple weeks, we have discussed this bill at length. This essentially brings about a true pyramid for the City of Pittsburgh. The Monongahela side is equal to the Allegheny side now, not only at the Boulevard of Fort Pitt in comparison to Fort Duquesne but also an equal distance back and that equal distance from Fort Pitt Boulevard to Third Avenue is the exact same escalation and scale similar to that of the Allegheny side.

Michelle Madoff:

Do you know that the sun during the day is never on the Allegheny side? That the sun just doesn't hit that side? That it is never going to be developed in the same way that the Boulevard of Allies and the Allegheny side is going to be developed? I think that that is where the beauty of our City, the living room, the entrance to our living room of the City is located and I think a compromise whereby people who made investments in that property — I mean, they're in a no-lose situation. They go to 385 or whether they go to 120 or 180, they're going to be better than staying where they are. Granted, they have 300 feet now but that's going to be changed. Whether it's higher or lower, this Council has the power to change those rules. I think we have bent over, not only backwards, but done somersaults for a few people who are going to make tremendous profits at the cost of everybody in this community. I think it's irresponsible; I'm sorry I wasn't here. When I left the understanding was it would go as Mr. Stone had recommended sitting at the end of the table, that going from one end of the street he would scale it up from 120 and the compromise would be 180. He asked everybody whether they could live with that compromise; when I left I thought everybody had agreed to live with his compromise. I don't know how this change came about but I am not for it.

The Chair:

Clerk, call the roll.

Mr. Givens:

I vote aye and I would like my remarks from Wednesday's debate on this bill to be brought forward.

(BEGINNING - MR. GIVENS' REMARKS ON BILL NO. 290 - WEDNESDAY, 5/23/84)

Mr. Givens:

I would like to make a comment too, complimenting Jack Wagner for the in-depth research, knowing the Planning Commission has dealt with this thing for a number of years. I go back some seven years when they have been trying to tell the people down at Firstside actually what they would like down there and one of the big outcomes is residential property on top of many commercial and I would assume that 70 feet can still be added to any of this, or is that the maximum height?

And again I would like to say when many businesses were fleeing the City of Pittsburgh, the people on the Firstside area dug their roots in; they are the small people, they are the people who are the real backbone of the City of Pittsburgh and for us to deny them their opportunity, their day in the sun, as Jack Wagner has so vividly pointed out, and graphically pointed out some of the differences between the two river fronts. I would feel very strongly that it would be just fair and equable to

everyone who has owned property in Downtown Pittsburgh and if we look at the Firstside area there are many parking lots down there and it has been used for a parking lot and we have to look at our people and the neighborhood and we got to get every dollar that we can out of Downtown Pittsburgh so we don't have to pay that heavy burden of Real Estate Tax within our local communities and for that and for the endurance of the people of Firstside, I would support this amendment.

(END - MR. GIVENS' REMARKS ON BILL NO. 290)

Michelle Madoff:

It's obvious I'm going to be a lone voter. Maybe somebody will vote with me but I certainly vote no and I think that people here may think they're ingratiating themselves with the number of people who own property on these three streets and then maybe some substantive dollars to campaigns are going to lose a lot for the general public. I think it's a very bad move in the public interest.

Mr. O'Malley:

I vote aye and I'd like my remarks brought forward from the Wednesday's meeting.

(BEGINNING - MR. O'MALLEY'S REMARKS ON BILL NO. 290 - WEDNESDAY, 5/23/84)

Mr. O'Malley:

If I might, I would just like to say a few words in support of the amendment.

I think the property owners that reside in Firstside, 70 of them have made a significant investment to upgrade their property over the past 20 years and this is long before Firstside became the prime commercial property that it seems to have become today. I think the proposed restrictions or the proposed penalty placed on them by the Planning Commission of 120 feet is penalizing a group of property owners that have been in that area for a number of years.

I think the compromise that Mr. Wagner offers is fair; I also think it is suitable because what it does is, it reduces the property owners from a potential 300 feet today down to 180 feet. I think it's a fair compromise and I think it should be supported by members of this Council.

(END - MR. O'MALLEY'S REMARKS ON BILL NO. 290)

Mr. Robinson:

I'm going to vote aye but I'd like to indicate that I would prefer, personally, to see the height limitation reduced. I do believe that the original attempt on the part of the Planning Commission was to work out a compromise that would leave our City aesthetically pleasing on Firstside and at the same time allow property owners an option to develop. Unfortunately, when Council got involved in the process, the Planning Commission, I think, had made a number of concession, at least in their own minds, and felt that our attempts to make additional concessions or additional compromises perhaps did not speak to their overall concept of how our rivers should be developed. I have talked with Mr. Mistick and Mr. Lurcott about presenting to Council at the appropriate time some concept of how the Planning Commission sees our rivers being developed so that we could have a firmer appreciation of their concern about scale on Firstside.

While I don't believe that that height restriction that we're imposing will be detrimental to development or the aesthetics of the City, personally I wish it had been lowered; I wish that Council would have supported a lower height restriction. Since Council has not seen fit to do that, I certainly don't feel there would be any purpose served by prolonging the discussion and debate. But I do hope that Council will take advantage of an opportunity to hear from the Planning Commission their concept of how our rivers should be developed and gain some appreciation for the types of restrictions that they would like to place along all of our riverfronts.

I do wholeheartedly believe that we should have low buildings on our riverfronts. Regardless of their height, they should be lower than those buildings behind them.

Having said those comments, I will support the bill as amended.

Mr. Wagner:

I also would like my comments brought forward from last Wednesday's meeting in regard to this bill.

(BEGINNING - MR. WAGNER'S REMARKS ON BILL NO. 290 - WEDNESDAY, 5/23/84)

Mr. Wagner:

Prior to making an amendment to Bill No. 290, I would also like to state some facts pertaining to this amendment and the issue and also refer to a diagram that I have passed out to all of you.

The issue before us today is personal property owned by over 70 property owners in the Firstside area and the rights of those property owners. Do they have the same rights as the property owners on the Allegheny River side? Yes, I believe they do, if we call our form of government of the City of Pittsburgh democratic.

By adopting the same height restriction that exist on the Allegheny side, we are not jeopardizing the view of our skyline or harming the values of any properties in our great City. In fact, we are enhancing the shape and scale of the entire Golden Triangle; it will be more consistant in scale. It will actually take on the shape of a pyramid, a true pyramid, the size of the buildings rising equally on both the Allegheny and Monongahela side of the Triangle. With a focal or high point being buildings such as Oliver Plaza, U.S. Steel and the Mellon Bank Building.

We have recently transferred development rights in our investing $3.5 million of the Pittsburgh taxpayer monies for the Stanley Theatre Development and the Allegheny International Project site and we passed that legislation or moved on that legislation this morning; a potentially great development. One block back from Fort Duquesne Boulevard on the Allegheny side, two 32 story buildings, 32 stories, approximately 405 feet each in height, will be constructed boarding Penn Avenue one block back from Fort Duquesne Boulevard, Seventh Street and Liberty Avenue.

Is this proposal healthy for the Downtown area? I believe it is or we would not have moved on that legislation this morning. Is it going to block out the view of other parts of the inner City? To a degree, yes. We know with any development, no matter what size of the building, we are going to block out a portion of the view of the City. Could this development be constructed on Firstside Avenue under the proposed legislation? Let me repeat that. Could

this development be constructed on Firstside under the proposed legislation for Firstside? No, it couldn't. Why? Because the legislation before us today, No. 290, is not fair and it is not equal. We are proposing a lopsided pyramid in this City. According to this legislation, what's good for the Allegheny side is not good for the Monongahela side. The building owners that have come before us from the Firstside area are willing to except compromise by reducing that present permitted size of buildings from 300 feet to 180 feet, even though this will surely reduce the value of their properties. They are giving up 180 feet of height pertaining to the value of their property, excuse me, 120 feet. What is equal is fair, but what we are talking about here essentially is equal rights and equal rights of those property owners. That is the issue, equal rights of all property owners in the Downtown area.

I would like all Councilmembers to please refer to the diagram that I have put together and passed out. As you can see, we have permitted PPG Plaza to build a building in the Firstside area, boarding the Firstside area on Third Avenue to the height of 635 feet. We have permitted National Steel to build River Front Plaza on Fort Pitt Boulevard, 220 feet. We have permitted Oxford Center on Third Avenue to build a building 550 feet. We are proposing Allegheny International, 402 feet and we have another potential development where Jenkins Arcade once was a development that could rise to over 400 feet. I have indicated the height that exists under the proposed legislation on this diagram. As you can see on Fort Pitt Boulevard, we now have 150 feet. On the Boulevard of the Allies, 300 feet. If you look to the other side of the Triangle, we have greater heights.

What I have done is, I have requested from the Planning Department what the proper height would be in the scale comparison to that of the Allegheny River side, meaning, the maximum height on the Allegheny River side is 450 feet. But as you can see by the diagram, the distance between Fort Duquesne Boulevard and Liberty Avenue is greater than the distance between Fort Pitt Boulevard and the Boulevard of the Allies; therefore, it would not be fair. It would not be equal to say that the maximum height should be 450 feet as is the case on the Allegheny River side. Mr. Lurcott has provided for me the proper height that is consistent with the distances that exist on the Mononhahela River side. That maximum height has been incorporated in my proposed amendment of Bill No. 290 which I would like to read now.

Amendment to Bill No. 290, Monongahela River Side. Structures, or portions of structures, shall not penetrate an inclined plan determined by straight lines connecting points one hundred and eighty feet (180') above established street grade on Fort Pitt Boulevard and three hundred and eighty five feet (385') above street grade on the Boulevard of the Allies, calculated at the property lines. Structures between the Boulevard of the Allies and Third Avenue shall not exceed three hundred and eighty five feet (385').

If this amendment passes Council, I have talked with Mr. Lurcott this. morning and I think it would be proper to sit down with the property owners of Firstside and discuss the potential of including an amendment of that type into the legislation prior to Monday.

(END - MR. WAGNER'S REMARKS ON BILL NO. 290)

Mr. Wagner:

The most important thing that can

be said about this bill is, right now the property owners on Fort Pitt Boulevard have a 300 foot maximum height level of which they can build to. They are giving up 120 feet. That is a substantial amount of value to their properties. However, it is no greater than that and is equal to that of the Allegheny side. This City must treat both sides of our river equal. No matter what certain interests think that the buildings on the Monongahela side should remain at a low level, if they were going to go to such high levels or if large buildings were going to be constructed, I suspect that would have been done already, up until the 300 foot level that exists.

As I indicated at last week's meeting, this City is allocating $3.5 million to the Stanley Theatre Development Project to support two 32-story buildings that will be constructed along the Allegheny River, one block back. However, we are saying to the Firstside people, "You are not allowed to do that." On one side of the triangle we're putting public dollars out to support the building of tall structures and we're trying to tell the people on the other side of the triangle you cannot do that. That is no equal, that is not fair, that is not democratic.

I vote aye.

The Chair:

I vote aye with this explanation. I would like to commend both sides of this particular argument because I think they have both exibited their best foot forward, so to speak, in the best interest. It's a matter of a philosophy and one has to make that decision. I join in the concept as indicated by Mr. Wagner that the present height at 300 feet, and until we do something else, at least 180 is 120 feet less than what those people can presently develop and I think it needs additional watching to see whether or not this thing will get out of hand. We will see whether the practical consequences equal the legal consequences after this vote. I vote aye.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Wagner
Mr. Grabowski	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES 1

(MICHELLE MADOFF VOTING NO)

(MRS. MASLOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Bill No. 738

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh, owned by the Manchester (Pittsburgh) Community Development Corporation, of Pennsylvania Non-profit Corporation and designated as Block and Lots 22-G-102 and 22-G-104 in the Deed Registry Office of Allegheny County,, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning

Commission of the City of Pittsburgh."

Which was read.

Bill No. 739

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by the City of Pittsburgh and designed as Block and Lot 22-D-102 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 740

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Ernest Collins and designated as Block and Lot 22-D-93 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 741

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Charles E. Burrell and Madeline C. Burrell and designated as Block and Lot 22-D-92 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 742

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authorty of Pittsburgh to acquire all of the City's right, title and interest, if any in and to the publicly owned property in the 1st Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot: 2-M-184, under the Industrial Land Reserve Fund."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 743

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest if any in and to the publicly owned property in the 19th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot: 4-L-192, under the Residential Land Reserve Fund."

Which was read.

Mr. Wagner:

I abstain on Bill No. 743 because information requested on that bill was never provided.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The aves and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	(Pres't)

AYES 7 NOES none

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 744

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Congress of Racial Equality for the sale of Parcels 108A and 108B in the Third Ward of the City of the City of Pittsburgh in Redevelopment Area No. 31 (RESALE FOR REHAB)."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The aves and noes were taken agreeably to law, and were:

Aves:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Stone
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Grabowski presented

Bill No. 836

Report of the Committee on General Services for May 23, 1984 transmitting sundry resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 729

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the purchase and delivery of Various Automotive Equipment for the Department of General Services, Code Account 4-30-01-0001-83, Index Code 370106, Miscellaneous Equipment, for payment thereof."

Which was read.

Also,

Bill No. 732

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the furnishing and delivery of twenty (20) Rotary Mowers for the Dept. of Parks and Recreation payable from Code Account 1808 (180802), Equipment, Department of Parks and Recreation."

Which was read.

Also,

Bill No. 756

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the purchase and delivery of Various Computer Equipment for the Department of Personnel & Civil Service, Code Account CETA, for payment thereof."

Which was read.

Also,

Bill No. 757

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the furnishing and delivery of Printer Acoustical Enclosures for the Bureau of Information Systems, Department of the Mayor, Code Account No. 1045, Index Code 104505, Equipment; and for payment of the costs thereof."

Which was read.

Also,

Bill No. 758

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the furnishing and delivery of Computer Workstation Furniture for the Bureau of Information Systems, Department of the Mayor, Code Account Number 1045, Index Code 104505, Equipment; and for payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Stone

(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

Bill No. 837

Report of the Committee on Parks and Recreation for May 23, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 776

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the University of Pittsburgh for the securing of professional services during 1984 for the annual Jazz Seminar, directed by Nathan Davis, P.H.D., at a cost which is not to exceed $5,000.00 chargeable to and payable from Code Account No. 1838, Recreational Activities, Miscellaneous Services, Department of Parks and Recreation; and transferring the amount of $5,000.00 from Code Account 10, Accounts Payable Prior Years, to Code Account No. 1838, Miscellaneous Services, Department of Parks and Recreation."
—(SPONSORED BY MR. ROBINSON)

Which was read.

Also,

Bill No. 791

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Uptown Little League for professional services during 1984 and providing for the payment of the cost which is not to exceed $5,000.00 and is chargeable to and payable from Code Account No. 1838, Recreational Activities, Miscellaneous Services, in the Department of Parks and Recreation; and transferring the amount of $5,000.00 from Code Account 10, Accounts Payable Prior Years to Code Account 1838, Miscellaneous Services, Department of Parks and Recreation."
—(SPONSORED BY MR. STONE)

Which was read.

Mr. Givens:

I think it's a very worthy cause that we use this money for those leagues in the Hill District. I like those lads to be up there playing that ball and doing the things that they should be doing. I vote aye.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Stone
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the

bills passed finally.

Mr. O'Malley presented

Bill No. 838

Report of the Committee on Public Safety for May 23, 1984 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 554

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Ten, Building, Article III, Local Regulation, Section 1031.02 by adding additional requirements for barricading and fencing during erection, alteration or demolition of any building for the protection of the public on sidewalks and thoroughfares." (AS AMENDED IN COMMITTEE) **—(SPONSORED BY MR. WOODS)**

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 839

Report of the Committee on Engineering and Construction for May 23, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 747

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Port Authority of Allegheny County and Geo Mechanics, Incorporated for authorization to enter property owned by the Port Authority, directly below the Monongahela Incline, in order to perform an inspection and evaluation of a retaining wall on the P. J. McArdle Roadway."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner

Mrs. Masloff — Mr. Stone (Pres't)

AYES 8 — NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

I had a resolution that I was going to present today but I'll present it next week. It deals with Meals On Wheels; some of the people could not be here so I will present it next week. I testified last Friday before that committee and I want to have the others join in on it.

Mr. Robinson:

Mr. President and members of Council, I'd like to read into the Record a letter that was sent today to Mr. Stanton Williams, Chairman of the Allegheny Conference on Community Development.

"Dear Mr. Williams:

I am writing to seek your support and that of the Allegheny Conference in this City's efforts to work more cooperatively with the corporate community in addressing the issue of American corporations, many of which are Pittsburgh based, conducting business in the Republic of South Africa.

The Allegheny Conference has been a leader in civic, philanthropic, cultural and human services activities and a pacesetter for similar community development efforts in other cities. I believe our City has an obligation, both economic and moral, to substantially and openly address this issue of South Africa.

I would like to present to the Conference, at a regularly scheduled meeting, a proposal to do two specific things: one, encourage all Conference members to sign and support the Sullivan Principles; two, initiate and encourage dialogue between corporate leaders, government officials and the African-American community leaders of our City, relative to the corporate presence in South Africa and the growth of Pittsburgh as an international community. The stature and credibility of the Conference is essential for these two efforts to be successful.

Your cooperation and assistance will be appreciated.

Yours respectfully,

William Russell Robinson
Chairman
Taskforce on Investment Policies and Business Practices"

The Chair:

Thank you.

Michelle Madoff moved to approve the Minutes from Monday, May 14, 1984.

Mr. O'Malley seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, June 4, 1984 No. 23

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, June 4, 1984

PRESENT:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

ABSENT:

Mr. Givens

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Robinson:

Mr. President and members of Council, it gives me a distinct honor and pleasure to offer Resolution 453 and it's being offered in tribute to Mr. Authur J. Edmunds who is the Executive Director of our Pittsburgh Urban League. I am particularly pleased to offer this resolution inasmuch as Mr. Edmunds provided me with my first full-time opportunity for employment in the City of Pittsburgh and I'm eternally grateful to him and to the staff of the Urban League during those years for the very fine and wonderful experience they gave to me.

Mr. Robinson presents

Bill No. 864 WHEREAS, Arthur J. Edmunds, Executive Director, Urban League of Pittsburgh, has served the City of Pittsburgh and Allegheny County for the past twenty-four years; and

WHEREAS, His distinguished career in public service has been punctuated with service to the Urban League of Flint, Michigan, Saint Louis, Missouri, and the Young Mens Christian Association, to name a few; and

WHEREAS, Arthur J. Edmunds now serves on the Board of Western Pennsylvania Hospital, Educational Television Station - WOED, Penn Southwest, the Advisory Committee of Community Work for the Graduate School of Social Work, University of Pittsburgh, and the Fisk University Alumni Association; and

WHEREAS, His dedication and expertise in the field of social work was broadened by his academic experience at Fisk University, where he received his undergraduate degree, Drake University, where he received his masters degree, and the Universities of Iowa, and Michigan where he received additional training; and

WHEREAS, Arthur J. Edmunds is also a board member of Blue Cross of Western Pennsylvania, past president of the Pittsburgh Council of Public Education, Regional Chairman of the National Association of Intergroup Relations Officials, and the Pittsburgh Jaycees "Man of the Year in Human Relations" in 1975; and

WHEREAS, On June 6, 1984, the National Conference of Christians and Jews, Western Pennsylvania and West Virginia Region, will honor Arthur J. Edmunds for his outstanding service to Pittsburgh and Allegheny County.

NOW THEREFORE,

BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh, on behalf of its citizens, does honor and recognize the contributions and accomplishments of Arthur J. Edmunds and does designate June 6, 1984, as "Arthur J. Edmunds Day" in the City of Pittsburgh.

Mr. Robinson moved to adopt the resolution.

Mr. Woods seconded the motion.

Which motion prevailed.

Mr. Robinson:

I'd just like to indicate that I am very honored and pleased to have been asked to bring greetings from City Council at this dinner on June 6th, and I will present this resolution with your approval with Mr. Edmunds.

As I mentioned before, I'm personally grateful to him but I also think that he has provided an outstanding service to our community in the field of social work and is certainly someone who has done much to make this city someplace special. I certainly want to congratulate him in advance for his honor and for the time and effort that he's put in to making this a better city.

Mr. O'Malley presents

Bill No. 863 WHEREAS, the services rendered by the employees of the Department of Emergency Medical Services are recognized to be essential for the health, safety and welfare of the residents and visitors of the City of Pittsburgh; and

WHEREAS, under the Public Employee Relations Act of 1970, P.L. 569, No. 195; it is possible that a work stoppage could legally occur due to a Collective Bargaining impass; and

WHEREAS, that if such a work stoppage should occur, even for the shortest amount of time, irreparable harm or death could occur to a person in need; and

WHEREAS, the services provided by the Department of Emergency Medical Services are public safety in the same nature provided by the Police and Fire Departments; and

WHEREAS, the Paramedics were created after the formation of Act 111, which prohibits Police and Fire Departments to strike and requiring them to seek arbritation.

NOW THEREFORE,

BE IT RESOLVED, that the members of City Council of the City of Pittsburgh urges the House of Representatives, the Senate, and the Governor of the Commonwealth of Pennsylvania to enact the necessary legislation to amend Act 111 of 1968, to include the Paramedic and Emergency Medical Technicians, employed throughout the Commonwealth of Pennsylvania.

Mr. O'Malley moved to adopt the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. O'Malley:

What this will do, if the paramedics are included in Act 111, it will prohibit them from striking. I think all of us are aware under the negotiations this year between the City and the paramedics, we came very close to a strike. This resolution was requested from me by the paramedics. The paramedics and their union do not feel it would be in the best interest of the union or the City of Pittsburgh to have a strike. So, what they're doing is asking us and asking us to urge the State Legislators and the Governor to include them in Act 111.

The Chair presents

Bill No. 865 WHEREAS, the "Meals on Wheels" program has been one of this City's, this County's, and this Commonwealth's finest human service - providing food to persons, who otherwise would be without it; and

WHEREAS, this project, has generated, in excess of seven thousand volunteers in Allegheny County alone; and

WHEREAS, the Department of Aging of the Commonwealth of Pennsylvania, not satisfied with excellency in service, seeks to institute new regulations, namely to institute competitive bidding in its food procurement, and institute other contractural obligations, not necessary, nor heretofore contemplated; and

WHEREAS, these new regulations threaten, and if approved, will destroy this excellent "Meals on Wheels" program and its entire volunteer effort; and

WHEREAS, neither the "Meals on Wheels" program, its volunteers, nor its recipients, fear any audit or monitoring of its present fine program, but they do object to unnecessary bureaucratic interference.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of Pittsburgh do hereby:

1. Entry over strong objection to Regulation A.P.D. 83-12 - competitive bidding and additional contractual obligation in the "Meals on Wheels" program.

2. Request the Senate and the Legislature of the Commonwealth of Pennsylvania to take any and all action necessary to stop this unwarranted and unnecessary attack and imposition, upon this fine program; and finally, we do hereby:

3. Commend all of the "Meals on Wheels" volunteers, and on behalf of our thousands upon thousands of food recipients, and this City, we express our debt of gratitude for their dedication, devotion, service and untiring efforts - beyond the call of duty.

Mr. Robinson moved to adopt the resolution.

Mrs. Masloff seconded the motion.

Which motion prevailed.

The Chair:

Before I call some people up here, I testified before the Legislature's Committee last Friday chaired by Fred Trello and I'd just like to, if I can, enter into the Record some of those remarks.

I have been elected as President of the National Association of Regional Councils and having served on that Board, I've had the opportunity to testify before many U.S. Senate and House of Representatives Committees as well as federal agencies. One of the things that we have stated many, many times, and that is that one uniform rule for the entire United States is wrong and, likewise, one uniform rule for the entire Commonwealth of Pennsylvania is wrong because of the variances and differences that exist throughout this Commonwealth and the different areas.

We have supported regionalism because it supports local government input and more importantly we support local delivery of services.

The Meals on Wheels program in this City and this County is an excellent program. It is most successful because it is a volunteer effort. The devotion, the dedication and service and attendance to the needs of the recipients is beyond the call of duty and is immeasurable in value. Money cannot pay for all of the charity work done by these volunteers. The City and the County support this volunteer program because they are the best program and because they are the best buy in town, not to overlook the fact that they are the best providers of the service. To say that they are doing an excellent job would still be an understatement.

Why do we still need a change? Some people say anyone who doesn't do the work always has a solution or they can do it better. Some say those that don't understand the problem fully always have a solution. If there is a better way, it is our contention it would have come from the volunteers themselves and that's why I have supported the volunteers of Meals on Wheels.

Someone other than those volunteers proposes a change for the better they say. But how? Uniformity in mass purchase; uniformity in one sterile bland diet for all. What about delivery locally? What about delivery to the houses? And what about the added services that these volunteers provide over and above food service?

We have recently had an example of this uniformity in our cheese and butter distribution program. Spoiled food, late arrival, days after, not minutes, and people in lines waiting for many, many hours. The volunteers, those people who give the time and effort to see that someone is taken care of, have to suffer even though they are not at fault, taking blame, taking hell and scorn because of someone else's neglect. We don't need these kind of problems to spill over into our Meals on Wheels program. If we in this new-found way alienate these volunteers and they quit or they, like the proponents of this program, want cost effectiveness and they want paid, then how is the program cost effective? The volunteers of the Meals on Wheels program know better, they do better, and they remember better. Decency warrants respect, not some new plan to undermine. I don't think that we should permit this kind of situation to exist.

With so many things needing fixing, don't fix that which needs no fixing.

As I've indicated before, we registered our strong objections to this bill, this regulation, 8312, and I'd just like to cite one example. One provider of service, and in fairness, he's doing a fair but limited job for the City of Pittsburgh doing well, and when I questioned him about that matter I asked, what if someone felt that this is a lucrative program by providing less and beating him out in the bid. What would happen then? He had to think twice about that one. I asked him as well that I would challenge him with the volunteers, let us handle the kitchen and let them go out on competitive bidding for delivering to each individual house and substituting for the work that the volunteers do.

In short, what they want is the better part of the program and let the volunteers carry the long burden of it. The volunteers do too much over and above the actual delivery of the food which is essential. They are invaluable to us and we must, therefore, as I've indicated, approve this resolution and we have. I commend everybody on Council for it being unanimous and we have with us Dee Steinmetz of Sheraden, Rita Vasos of Arlington, June Brandt of Arlington, Irma Gestiecher of Allentown, Fred Doescher of Allentown, Helen McBride of Northside, Eleanor Kissel of Southside, John Gross of Southside, Carson Towers, and we also have with us Judy Schooley who is the Nutrition Coordinator of the Lutheran Services Society and Michael A. Senko, Citiparks, our Project Director. I would like all of them to come forward and I would like to present them with a gold seal copy of the resolution as evidence of our respect for their services. They are representative of the entire program we have in this City and in this County.

Michelle Madoff:

Mr. Stone, what dollars do we give to Meals on Wheels from the City of Pittsburgh?

The Chair:

We contribute to the Capital Improvement; we cannot provide service —

Michelle Madoff:

How much do we give to Capital Improvement?

The Chair:

The City of Pittsburgh has been extremely supportive of this program. We cannot pay for the meals; it's against the way our monies come. But what we have done in many instances is to provide facilities for the kitchen and from the kitchen the volunteers pick up from there. We've used our money well and have been very supportive. But the thing tha's happening here is absurd to say the least.

Michelle Madoff:

I was wondering if there's some other way that we can somehow support them and finance a little stronger than we have been.

The Chair:

No, I think financially they're okay. But what's attempted here, that they have a problem with, they got handed about a 75 page contract and, you know, volunteers don't mind working but they're not going into a contractual relationship. I very carefully put in the resolution, and since you brought that up, let me emphasize it because I'd like the State to hear it because they're going to

get this thing. That is that neither the Meals on Wheels program, it's volunteers nor it's recipients, fear any audit or monitoring of its present fine program. They're not looking to get around something. These people have done many things. Some people who are the food recipients don't see anybody at any time until the meal is delivered by that person. If they have any other needs, these people generally bring it back and carry out some additional services.

The program is an extremely tremendous program and the only thing they're asking is that the State leave them as they've been able to manage all this time instead of trying to harass them by contracts and some sort of food program which will result in closing all of their kitchens.

Michelle Madoff:

How do you hope to achieve that?

The Chair:

By sending this resolution to Harrisburg and encouraging everyone else to write. As I told you, the Legislature had sent down a team of Pitrell and I think Murphy was on that one and also Fred Trello to get some local testimony on it.

Mr. Woods:

I'd like to add one thing, Mr. President. I agree with you on volunteers; I believe if you're going to do something such as this, that's the way to go. But when you mentioned the free cheese and butter program and about the foul-ups, I'm involved quite extensively in that and the people I deal with are 100 percent volunteers from the time that we borrow trucks and pick everything up. It's been over two and a half years since the program started and there has never been a foul-up in the cheese and butter program like in some areas where it's mixed.

So, I do congratulate these people where everything is 100 percent volunteer. That's the way to get it done.

The Chair:

Thank you. And to all of you, again, we extend our wholehearted thanks. Any time we can help, feel free to call us.

We'll now have Presentations of Papers.

Michelle Madoff:

Mr. Stone, point of order. What we've been doing is taking resolutions that are written up front and then resolutions that are floor motions later. Do you want to continue it that way?

The Chair:

Yes.

Mr. Grabowski for Mr. Givens presented

No. 841 Resolution granting unto Stop & Go Food Stores, their administrators and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a sign and post in portion of the right-of-way behind the sidewalk at the intersection of Nobles Road, and Saw Mill Run Boulevard in the 29th Ward of the City of Pittsburgh.

Also,

No. 842 Resolution vacating a portion of a 15 foot Unnamed Way (between Los Angeles Avenue and Vodeli Street) from its southerly terminus to the lot line (as projected) between Lot

No. 94 and Lot No. 95 in the Lonergan Plan of Lots, recorded in County Plan Book, Volume 23, Pages 10 and 11, in the 19th Ward of the City of Pittsburgh.

Which were read and referred to the Committee on Public Works.

Mrs. Masloff presented

No. 843 Resolution providing for an Agreement or Agreements with Kingsley House Association for professional services in connection with their 1984 Dance Program, at a cost not to exceed $2,000.00, and transferring the sum of $2,000.00 from Code Account 10, Accounts Payable Prior Years, to Code Account S.P.P. (Special Parks Programs Trust Fund). **—(SPONSORED BY MRS. MASLOFF)**

Also,

No. 844 Resolution authorizing the Director of the Department of Parks and Recreation to implement a Children's Fingerprint Identification Program, at a cost not to exceed $3,000.00, and transferring the sum of $3,000.00 from Code Account 10, Accounts Payable Prior Years, to Code Account S.P.P. (Special Parks Programs Trust Fund).
—(SPONSORED BY MRS. MASLOFF)

Which were read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 845 Communication from Charles Lewis, Chief, Department of Fire, requesting authorization to increase the amount from $850.00 to $932.00 in Council Bill No. 692, which authorized Paul J. Imhoff to attend a meeting of the Association of Major City Building Officials in New Orleans, LA, May 24-25, 1984, payable from Code Account 1476, Misc. Services, Department of Fire, Bureau of Building Inspection.

Also,

No. 846 Communication from Charles Lewis, Chief, Department of Fire, requesting authorization for Deputy Chief John Harpur and Captain Joseph Somma, Department of Fire, to attend the 69th Annual Code Development and Educational Conference of the Building Officials and Code Administrators International, Inc., on June 26 - July 1, 1984, in Philadelphia, PA, at a cost not to exceed $700.00 per person, payable from Code Account 1463, Misc. Services and Repairs, Department of Fire.

Also,

No. 847 Communication from Charles Lewis, Chief, Department of Fire, requesting authorization for Paul J. Imhoff, Superintendent, Bureau of Building Inspection, Department of Fire, to attend the 69th Annual Building Officials and Code Administrators Development and Educational Conference to be held at the Hershey Hotel, Philadelphia, PA, June 26 - July 1, 1984, at a cost not to exceed $950.00 chargeable to and payable from Code Account No. 1476, Misc. Services, Department of Fire, Bureau of Building Inspection.

Also,

No. 848 Communication from Charles Lewis, Chief, Department of Fire, requesting authorization for Henry Hegerle to attend the 69th Annual Building Officials and Code Administrators Development and Educational Conference in Philadelphia, PA, June 27 - July 1, 1984, at a cost not to exceed $875.00 payable from Code Account No. 1476, Misc. Services,

Department of Fire, Bureau of Building Inspection.

Also,

No. 849 Communication from Charles Lewis, Chief, Department of Fire, requesting authorization for Dominick J. Cimino to attend the 69th Annual Building Officials and Code Administrators Development and Educational Conference in Philadelphia, PA, June 27 - July 1, 1984, at a cost not to exceed $875.00 payable from Code Account No. 1476, Misc. Services, Department of Fire, Bureau of Building Inspection.

Which were severally read and referred to the Committee on Public Safety.

Mr. Wagner presented

No. 850 Resolution amending Res. No. 1210, eff. Jan. 1, 1984, entitled, "Resolution adopting and approving the 1984 Capital Budget and the 1984 Community Development Block Grant Program; and approving the 1984 through 1989 Capital Improvement Program," by adding a line item and by adjusting the Summary Totals to provide funds for the design and remodeling of Council Offices.

Also,

No. 851 Resolution providing for an Agreement or Agreements with Bohlin, Powell, Larkin, Cywinski, for Professional Architectural Services in connecction with the remodeling of Council Offices, at a cost not to exceed $45,000.00 chargeable to and payable from Code Account LB 84-18, 4-13-92-2070-84, City Council Offices Rehabilitation, Index Code No. 351312.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Woods seconded the motion.

Which motion prevailed.

Also,

No. 852 Resolution providing for the issuance of a warrant in favor of Landau Building Company, in the amount of $5,354.09, in payment of an Emergency Contract for the repairs to prevent any further structural damage to the Clarifier Building at the Aspinwall Water Works (Northern brick veneer wall) from the water leakage and winter conditions, chargeable to and payable from Code Account WD 84-02, 4-13-44-0200-84, Treatment Plant Rehabilitation.

Also,

No. 853 Resolution providing for the issuance of a warrant in favor of General Electric Company in the amount of $37,180.00, in payment of the emergency repair of an Allis Chalmers synchronous motor at the Brilliant Pumping Station, chargeable to and payable from Code Account WD 84-03, 4-13-46-0100-84, Index Code No. 313601, Pump Rehabilitation and Replacement.

Also,

No. 854 Resolution providing for the issuance of a warrant in faor of Casey Company, in the amount of $46,264.00 in payment for Extra Work, being in addition to the original contract price of $978,880.00, Controller's Contract No. 26042, in connection with

the reconstruction of the Radcliffe Street Bridge, pavable from Code Accounts CDPW 81-43, Radcliffe Street Bridge.

Which were severally read and referred to the Committee on Finance.

Also,

No. 855 Resolution further amending Res. No. 318, appr. April 18, 1980, eff. April 25, 1980, as amended by Res. No. 710, appr. Aug. 1, 1980, eff. Aug. 8, 1980, as amended by Res. No. 780, appr. July 30, 1982, eff. Aug. 12, 1982, as amended by Res. No. 891, appr. Aug. 26, 1982, eff. Sept. 1, 1982, entitled, "A Resolution providing for a Contract or Contracts for demolition and replacement of Radcliffe Street Bridge and related street improvements, including as may be necessary the entrance on to private property for corrective work, slope easements, the grading of driveways and other work incidental thereto; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pa., Dept. of Transportation; and providing for the payment of costs thereof," by decreasing the total project allocation from $1,103,000.00 to 971,170.21.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Woods presented

No. 856 Communication from Tom Flaherty, Controller, City of Pittsburgh, requesting authorization for James Haley, Assistant Accounting Manager, and Anthony Lapia, Accountant 3, to attend the 1984 Professional Development Conference to be held in Washington, D.C., July 9-11, 1984, at a cost not to exceed $2,000.00 chargeable to and payable from Code Account No. 1048, Misc. Services.

Also,

No. 857 Communication from John Gabriel, Director, Commission on Human Relations, requesting authorization for Helen Robinson to attend a Management Skills and Case Management Training seminar sponsored by the Equal Employment Opportunity Commission in Philadelphia, Pa, June 24-29, 1984, at a cost not to exceed 700.00 payable from EEOC-706 Trust Fund.

Also,

No. 858 Communication from Ronald C. Schmeiser, Director, Department of Finance, submitting a report of deposits and market value of collateral Security pledged by City Depositories to secure same as of April 30, 1984.

Which were severally read and referred to the Committee on Finance.

UNFINISHED BUSINESS

The Chair presents

Bill No. 768 Resolution approving the appointment of Ms. Gretchen Donaldson of 144 North Dithredge Street, Pittsburgh, PA 15213 to the Board of Water Assessors for a term to expire May, 1987.

Mr. Woods moved to adopt the appointment.

Mr. Robinson seconded the motion.

Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 859

Report of the Committee on Finance for May 30, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 750

A Resolution entitled, "Resolution amending Resolution No. 279, approved, April 6, 1984, effective April 17, 1984, entitled, "Providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's Summer Youth Employment Program and providing for the payment of the costs thereof." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 771

A Resolution entitled, "Resolution providing for the issuance of a warrant amount to $372.00, payment for the installation of a safe without authority of law and provding for the payment thereof."

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Which was read.

Also,

Bill No. 772

A Resolution entitled, "Resolution transferring the amount of One Thousand ($1,000.00) Dollars from Code Account 1633, Materials to Code Account 1631, Miscellaneous Services; both Code

Accounts are within the Bureau of Operations, Painting Division, Department of Public Works."

Which was read.

Also,

Bill No. 774

A Resolution entitled, "Resolution amending Resolution No. 351, approved April 27, 1984, effective May 7, 1984, entitled, 'Providing for the issuance of a warrant in favor of American Society for Microbiology, 1913 I Street N.W., Washington, D.C. 20006, in the amount of $397.00 in payment for Publication and Reprints of an article submitted to said Society by John Kuchta of the Department of Water furnished for the benefit of the City and providing for the payment thereof,' by changing the source of funds therein."

Which was read.

Also,

Bill No. 783

A Resolution entitled, "Resolution amending Resolution No. 91, approved February 23, 1984, entitled: 'Providing for an Agreement or Agreements for specialized professional services in connection with conduct of negotiations and arbitration proceedings including labor relations advice, representation at negotiating meetings and economic and job evaluation advice, and related personnel matters; and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 784

A Resolution entitled, "Resolution repealing Item A of Resolution No. 1019, approved November 30, 1983, which authorized the sale of property in the 1st Ward, being a 2 Story, Brick house, located at 1915 Forbes Avenue, deisgnated as Block 11-J, Lot 42, to Williard T. Harrison, for the sum of $1,500.00."

Which was read.

Also,

Bill No. 785

A Resolution entitled, "Resolution repealing Item E of Resolution No. 1131, approved December 30, 1983, which authorized the sale of property in the 13th Ward, being a 3 Story, Brick house, located at 1099 Lawndale Street, designated as Block 231-E, Lot 101, to Harold T. McGinnis and Shiron G. McGinnis, his wife, for the sum of $1,600.00."

Which was read.

Also,

Bill No. 786

A Resolution entitled, "Resolution repealing Item F of Resolution No. 229, approved April 3, 1984, which authorized the sale of property in the 13th Ward, being a 2 Story, Frame house at 1090 Blackadore Avenue, designated as Block 174-H, Lot 112, to Susan Frye, for the sum of $7,500.00."

Which was read.

Also,

Bill No. 787

A Resolution entitled, "Resolution providing for the filing of a petition or

petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended."

Which was read.

Also,

Bill No. 820

A Resolution entitled, "Resolution amending Resolution No. 355, approved April 27, 1984, effective May 7, 1984, entitled 'Providing for the issuance of a warrant in favor of Spiniello Construction Company (Charles A. DiNardo, Vice President), in the amount of Seventy Four Thousand Seven Hundred ($74,700.00) Dollars, in payment for Extra Work, being in addition to the original contract price of Three Hundred Ninety Sixty Five Dollars and Fifty Five Cents ($396,765.55), on Controller's Contract No. 26253, furnished for the benefit of the City in connection with the cleaning, repairing and cement lining of a 42-1/2" main in Baker and Butler Streets, and providing for the payment thereof', by amending Section 1 to include the amount of the warrant to be issued."

Which was read.

Also,

Bill No. 822

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Volpe Rogal Inc. for professional services in connection with the administration of the Worker's Compensation Program and providing for the payment of the cost thereof at a cost not to exceed five hundred and four thousand dollars ($504,000.00), chargeable to and payable from Code Account 44, Workmens Compensation Fund, Index Code 004408, Department of Finance."

Which was read.

Mr. Robinson:

Mr. President and members of Council on Council Bill 822, at last Wednesday's Council session I raised some concerns about that bill, very specifically about the proposed legal counsel who will be working with Volpe-Rogal. At Wednesday's session, Mr. Schmeiser our Finance Director, indicated that the legal counsel that will be used by Volpe-Rogal would be the law firm of Baskin and Steingut. As Council is aware, there is no notation in the legislation to that effect and I can only assume that Volpe-Rogal will make that decision as to who their legal counsel will be and that Mr. Schmeiser's comments to us were based on discussions with representatives of Volpe-Rogal.

I did ask that the City Clerk contact our Human Relations Commission and our City Solicitor to one, determine what was the status of the hearing and anticipate a report from the Human Relations Commission relative to the issue of Baskin and Sears continuing to serve the City of Pittsburgh. Mr. Gabriel, our Executive Director of the Human Relations Commission, did send a letter which I would like to read into the Record. Also, I'd like to mention that our City Solicitor, Mr. Pellegrini, did send a communication to us relative to certification that the Baskin and Sears firm which is now called Baskin and Steingut indeed is a new corporate entity and is no longer serving the Republic of South Africa.

With Council's indulgence, I'd like to read the letter from Mr. Gabriel. It's

dated June 1, 1984 and it's addressed to our City Clerk, Mr. Perry.

"Dear Mr. Perry:

I am in receipt of your May 30, 1984 letter communicating Councilman Robinson's request for information on when the Commission plans to submit a report and recommendations concerning the Baskin and Sears issue.

It can be said with relative certainty that the Commission will not make its report until mid-June at the earliest.

The Commission has had several sessions with staff around the investment/divestment question and wishes to present the Mayor and Council with a thorough recommendation. Also, the Commission wanted an authoritative report regarding the issue of "severance" of ties between Baskin and Sears and the Republic of South Africa, and at the recommendation of its Solicitor, authorized obtaining a report from special legal counsel. On these matters and others related to the public hearing, the Commission and its staff have been active, but I don't believe a final report will be forthcoming prior to mid-June at the earliest.

Very truly yours,

John Gabriel
Director
Commission on Human Relations
City of Pittsburgh"

The other communication is from Mr. Pellegrini, our City Solicitor. It's dated Junel, 1984 and is addressed to the President and members of Council relative to Council Bill 822.

"Dear Mr. President and Members of Council:

Councilman Robinson has requested certification that the law firm of Baskin and Sears has been dissolved and that the firm of Baskin and Steingut is a separate entity.

Attached are copies of the following enumerated documents of Baskin and Sears that indicate that John Sears, Philip Hare, John Ward and Robert Kelley withdrew as members of the firm and that they no longer have any connection with the firm now known as Baskin and Steingut:

1. Philip Baskin's letter to John Sears dated February 28, 1984.

2. Minutes of Baskin and Sears' Board of Director's Meeting dated March 8, 1984.

3. Separation Agreement dated Marcl. 29, 1984.

4. Commonwealth of Pennsylvania Certificate of Merger and Name Change.

5. Stuart Gordon's (administrative attorney for the D.C. office) letter of April 27, 1984.

6. Swartz, Albanesi, Izenson and Co. letter of May 3, 1984.

7. Letter of R.E. Fiorito, Controller, Baskin and Steingut, certifying that the firm of Baskin and Steingut has severed all of its relationships with the John P. Sears group, namely, John P. Sears, Philip J. Hare, Robert Kelley and John A. Ward.

In accordance with Councilman Robinson's request, I certify that Baskin and Steingut no longer has any

connection with John Sears and that Baskin and Steingut no longer represents South Africa.
Very truly yours,

D.R. Pellegrini
City Solicitor"

I'd also like to have these documents entered into our Record and I think that this kind of information will be very fruitful to us as we move forward. Thank you.

(DOCUMENTS REQUESTED BY MR. ROBINSON CONCERNING DISSOLUTION OF BASKIN AND SEARS)

Baskin and Sears, P.C.
10th Floor Frick Building
Pittsburgh, PA 15219

February 28, 1984

John P. Sears, Esquire
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Dear John:

In accordance with our discussion last night in Washington, the firm accepts the withdrawal of you, Philip Hare, John Ward, and Robert Kelley as employees and shareholders, all to be effective as of the end of the business day on Wednesday, February 29, 1984.

Salaries and all fringe benefits will terminate as of the end of February 29, including those of the support staff who will be leaving our firm to join your new firm. On or about March 8, which will be the end of the current two-week pay period for our firm, you and the staff leaving with you will be paid by Baskin and Sears, P.C., through February 29.

Also, as agreed, I have asked Stuart Gordon who is the administrative attorney of our Washington office to rearrange the name plates on the entrance to our suite to indicate the separation of the two entities and to deal as promptly as possible with separate telephone numbers and other matters required in the separation.

Sincerely,

Philip Baskin

PB/mw

cc: Philip Hare, Esq.
John Ward, Esq.
Robert Kelley, Esq.

Baskin and Steingut, P.C.
10th Floor Frick Building
Pittsburgh, PA 15219

May 23, 1984

Michael Louik, Esquire
508 Law and Finance Building
Pittsburgh, PA 15219

Dear Mr. Louik:

Enclosed are excerpts from the corporate minutes pertaining to the John Sears withdrawal from the firm of Baskin and Sears, P.C., which Robert L. Simmons, Esquire, requested during his review of the corporate minutes in our office. This information is being supplied to you for transmittal to Mr. Simmons in conjunction with the Pittsburgh Human Relations Commission hearing.

If you have any questions or need further information, please contact me.

Sincerely,

R.E. Fiorito,
Controller

REF/mw
Enclosures
cc: Philip Baskin, Esq.

JOINT MEETING OF
THE BOARD OF DIRECTORS OF
BASKIN AND SEARS, P.C., AND
THE EXECUTIVE COMMITTEE OF
BASKIN AND SEARS

March 8, 1984
1:30 p.m.

A joint meeting of the Board of Directors of Baskin and Sears, P.C., and the Executive Committee of the Partnership of Baskin and Sears, was held on Thursday, March 8, 1984, at 1:00 p.m. at the Williamsburg Hilton ...

Baskin acted as Chairman of the meeting and as Secretary in the absence of Charles Wittlin.

* * *

The Board reviewed Items 4 through 7 on the Agenda and generally approved the 1984 budgets subject to adjustments to be made for D.C. and Miami because of the changed circumstances resulting from the Sears withdrawal, and minor corrective adjustments on the other budgets.

* * *

The Board then directed its attention to Item 12. Baskin explained the background of the South African situation which arose in Pittsburgh and reviewed the meeting held in Washington, D.C., in the early evening of February 27, attended by Baskin, Young, Sears, Tarnoff, Steingut, with telephone communication with Zukerman. Baskin reported that he had also discussed the matter with other members of the Board from Pittsburgh, with Stuart Gordon, and by telephone with Mel Schwartz.

Baskin reported that all but Sears agreed that the firm should sever its representation of the Republic of South Africa, and immediately make public its decision. Sears indicated that he and some of the others in the D.C. office would not agree, but stated that he would make no decision until he had seen the South African ambassador the next morning and requested as a courtesy that no announcement be made until after his meeting. Following the Sears meeting with the South African ambassador, Sears notified the firm that he, Hare, Ward and Kelley were withdrawing from the firm and would continue to represent South Africa.

The Board approved the acceptance of the withdrawal by Baskin on behalf of the firm, in a letter dated February 28, attached to the minutes.

Baskin reported that personal relations with Sears, and the others remained cordial since all parties appreciated the respective adverse positions brought about by the unexpected events and Baskin reported that he anticipated mutual cooperation in an early settlement between the firm and the withdrawing partners. The Board agreed that the separation be made as quickly as possible, that it be clear and final, and effectuated as soon as possible. The Board recognized that it would be unfair and impractical, in view of the sudden turn of events and the parties' lease obligations and requirements, to immediately separate the parties physically. Baskin was instructed to enter into an agreement as soon as possible on all matters involved.

* * *

MINUTES OF
THE REGULAR MEETING
OF THE SHAREHOLDERS
OF BASKIN AND SEARS, P.C.,
AND THE PARTNERS OF
BASKIN AND SEARS, A PARTNERSHIP

March 9, 1984

A regular joint meeting of the Shareholders of Baskin and Sears, P.C., and of the Partnership of Baskin and Sears was held on Friday, March 9, 1984 at the Williamsburg Hilton, Williamsburg, Virginia, commencing at 8:30 a.m.

Philip Baskin acted as Chairman of the meeting and Charles Wittlin as secretary thereof ...

The Chairman announced that since the last annual meeting, the following shareholders-partners had terminated their relationship with the firm: Philip Hare, Robert Kelley, John Sears, John Ward ...

SPECIAL JOINT MEETING OF
THE BOARD OF DIRECTORS OF
BASKIN AND SEARS, P.C., AND
THE EXECUTIVE COMMITTEE OF
BASKIN AND SEARS

March 9, 1984
1:30 p.m.

A special joint meeting of the Board of Directors of Baskin and Sears, P.C., and the Executive Committee of the Partnership of Baskin and Sears, recessed on March 8, 1984, was reconvened on Friday, March 9, 1984 at 1:30 p.m. at the Williamsburg Hilton ...

Philip Baskin acted as Chairman of the meeting and Charles Wittlin as Secretary.

* * *

The Chairman indicated that in view of the withdrawal of John Sears, the first order of business was to adopt a name for the Corporation and the Partnership to be submitted to the Shareholders and Partners. After a considerable discussion, it was unanimously agreed that the corporation name of Baskin and Steingut, P.C., and the Partnership name of Baskin and Steingut, should be submitted to the Shareholders and Partners for approval.

* * *

Baskin reported on the complete severance of P.C. and the partnership, on the one hand, and Sears, Ward, Hare and Kelley on the other and the severance of P.C. and the partnership from the Republic of South Africa, to be effective as soon as possible. Baskin also reported on the situation in Pittsburgh. The Board authorized Baskin to attempt to reach a settlement with the Sears group as soon as possible and to enter into a short-term space arrangement, if possible, to permit the parties to plan for separate space as soon as practical.

* * *

AGREEMENT

This Agreement, made March 29, 1984, effective as of March 1, 1984, by and between Baskin and Sears, P.C. (hereinafter "P.C."), Baskin and Sears, a partnership (hereinafter "the Partnership"), and John P. Sears, Philip J. Hare, Robert Kelley, and John A. Ward (hereinafter "Sears"), represents a full disposal of all financial and legal obligations between the parties as of this date.

1. Any reference to Sears shall include, individually and collectively, John P. Sears, Philip Hare, Robert Kelley and John Ward

2. After February 29, 1984, Sears shall have no interest of any kind whatsoever in P.C. or in the partnership of Baskin and Sears, nor shall Sears be entitled to any fringe benefits of any kind subsequent to said date, or in any further contributions to any of the pension funds of P.C., and P.C. and the Partnership shall have no interest of any kind in Sears.

3. Sears represents that the clients which remain with him have paid to date for services rendered by P.C. prior to February 29, 1984, and that there are no contingent fees with the clients formerly of P.C. which Sears will continue to represent.
 (a) For services rendered, overhead, expenses, etc., by P.C. on Sears' clients prior to February 29, 1984, Sears shall pay P.C. _____
 (b) Outstanding client costs of Sears, as adjusted by reports received subsequent to March 29, 1984 reports, shall be repaid to P.C. Any of said costs paid to P.C. shall be credited to Sears' balance, and in the event of overpayment of said costs to P.C., the overpayment shall be paid to Sears. At the end of May, 1984, any outstanding balance of said costs will be paid in a lump sum to the P.C.

4. Against the above total of _____, Sears shall be credited with _____ deposited in fees in January and February, 1984 (none of which represents fees from South Africa). The balance of _____ will be paid in ten (10) monthly installments beginning April 1, 1984, of _____ or more quickly, at the option of Sears. Sears' capital of _____ will be repaid to him under the terms of the partnership and P.C. agreements.

5. Sears intends to represent the Republic of South Africa. P.C. shall have no interest of any kind whatsoever in said client or any fees received by Sears from said client. Sears shall remove the name of P.C., and any employee of P.C., from the agent representation on file in Washington, D.C., for South Africa and any other client of Sears.

6. On the matter of Noel Marshall/ROAR-SBA Loan, outstanding costs of belong to P.C., which Sears is to continue to attempt to collect. Fees collected for past services shall be first applied to any cost balance, and the balance shall be divided equally between Sears and P.C.

7. On the Casino syndication matter, the fee, if any, shall be divided one-half to P.C. and one-half to Sears, after payment of outstanding advance costs, if any.

8. Sears acknowledges that they have no claim to any contingent fee cases of P.C.

9. In order to alleviate the leasehold dislocation caused by the withdrawal of Sears from P.C., Sears shall continue on a short-term basis to occupy space in space leased to P.C. on the following conditions:
 (a) Sears shall occupy their present offices and secretarial space, and have the use of the furniture and fixtures in said space.
 (b) A door shall be installed at the entrance to the Sears office which will have on it the name of the Sears firm.
 (c) Sears and P.C. shall each have its own employees and be respectively responsible

for payment for said employees. The receptionist in the office shall be P.C.'s employee, and shall announce and direct Sears' visitors to Sears' space, but shall provide no telephone service.

(d) Sears and P.C. shall have separate phone systems and numbers, separate stationery, etc.

(e) Sears shall have the use of equipment of P.C. in the office, such as the telex, duplicating machines, etc., but shall pay for such use on the same basis as is then charged by P.C. for others. Payment for said use shall be made monthly upon presentation of bills.

(f) The two firms shall be clearly and separately listed in the lobby directory and in the elevator lobby outside the entrance to the offices, and in any future published directory lists.

(g) Sears shall pay P.C. a monthly rental of _____ payable on or before the first day of each month, beginning March 1, 1984. Payment for March shall be made at the execution of this Agreement.

(h) The lease arrangement in this Paragraph 9 may be terminated by either P.C. or Sears upon sixty (60) days prior written notice.

10. On any malpractice claims filed against P.C. or the Partnership based upon actions of Sears, Sears' malpractice insurance shall be the primary coverage, and P.C. and Sears shall each bear fifty percent of all costs and liabilities not covered by insurance. P.C. shall continue to maintain malpractice insurance in the total amount of at least _____ and Sears shall maintain such insurance in a total amount of at least _____.

The parties hereto, intending to be legally bound hereby, set their hands and seals.

ATTEST:
Charles E. Wittlin
Secretary

BASKIN AND SEARS, P.C.
Philip Baskin
Chairman

WITNESS:
Charles E. Wittlin

BASKIN AND SEARS, A Partnership
Philip Baskin
Managing Partner

WITNESS:
Joan E. Fallich

BASKIN AND SEARS, A Partnership
John P. Sears
Philip J. Hare
Robert Kelley
John A. Ward

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE

To All to Whom These Presents Shall Come, Greeting:

WHEREAS, Under the provisions of Article IX of the Business Corporation Law (Act of May 5, 1933, P.L. 364), as amended, the Department of State is authorized and required to issue a

CERTIFICATE OF MERGER

evidencing the merger of any one or more domestic corporations, and any one or more foreign corporations into one of such corporations under the provisions of that law; and the Professional Corporation Law Act No. 160, approved July 9, 1970, and

WHEREAS, The stipulations and conditions of that law relating to the merger of such corporations have been fully complied with by BASKIN AND SEARS, P.C., a New York corporation and BASKIN AND SEARS, P.C., a Pennsylvania corporation.

IT IS, THEREFORE, Certified That from the Articles of merger filed with the Department of State, it appears that BASKIN AND SEARS, P.C., the New York corporation has merged with and into BASKIN AND SEARS, P.C., the Pennsylvania corporation, which name is changed to BASKIN AND STEINGUT, P.C.

THEREFORE, KNOW YE, That subject to the Constitution of this Commonwealth, and under authority of the Business Corporation Law, I DO BY THESE PRESENTS, which I have caused to be sealed with the Great Seal of the Commonwealth, hereby declare that

BASKIN AND STEINGUT, P.C., the Pennsylvania corporation shall be the surviving corporation.

Effective 3/31/84 11:59 P.M.

GIVEN under my Hand and the Great Seal of the Commonwealth, at the City of Harrisburg, this 23rd day of March in the year of our Lord one thousand nine hundred and eighty four and of the Commonwealth the two hundred and eighth.

William R. Davis
Secretary of the Commonwealth

Baskin and Steingut, P.C.
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

April 27, 1984

Philip Baskin, Esquire
Baskin and Steingut, P.C.
10th Floor
Frick Building
Pittsburgh, PA

Dear Phil:

You asked me to keep you apprised as to the progress of the separation between John Sears' law firm and that of our own.

As I indicated to you in our last conversation, a set of double doors has been erected between our offices and the door signs have been changed to designate the separate law firms, each listing the members thereof. The directory in the lobby of the building has also been changed to reflect the establishment of two separate law firms. Finally, John Sears' firm has acquired and has in operation a separate telephone system and a new telephone number.

Thus, there has been a complete separation of our law firms in accordance with the separation agreement signed between us.

Very truly yours,

Stuart J. Gordon

SJG:sei

Swartz, Albanesi, Izenson & Co.
Certified Public Accountants
803 Manor Building
Pittsburgh, PA 15219

May 3, 1984

Mr. Philip Baskin
Baskin and Steingut, P.C.
10th Floor, Frick Building
Pittsburgh, PA 15219

Dear Mr. Baskin:

We have reviewed the records of Baskin and Steingut, P.C. (formerly Baskin and Sears, P.C.) regarding the withdrawal from the company by John P. Sears, Philip J. Hare, Robert Kelley and John A. Ward (Sears).

In this connection, we also reviewed the "Separation Agreement" and other documents relative to Sears' withdrawal. Our review has confirmed the fact that all financial matters between the two parties have been resolved as of February 29, 1984 and amounts payable to each other have either been paid as of that date or installment payments agreed upon. In those instances in which installment payments were agreed upon, the installment payments are current to this date.

Our review of the records indicates that there is no continuing financial involvement between the two entities and that there is no continuing interrelationship between the two parties in any clients.

The two entities have arranged separate office facilities and each employs their own personnel.

Very truly yours,

Murray H. Swartz
SWARTZ, ALBANESI, IZENSON & CO.

MHS/jad

Baskin and Steingut, P.C.
10th Floor, Frick Building
Pittsburgh, PA 15219

May 7, 1984

Michael Louik, Esquire
508 Law and Finance Building
Pittsburgh, PA 15219

Dear Mr. Louik:

In response to your request of May 3, 1984, I am submitting the following statement concerning my knowledge of the separation of Baskin and Sears.

As controller of Baskin and Steingut, P.C. (formerly Baskin and Sears, P.C.), I am in day to day contact with the entire Baskin and Steingut operation and it is my opinion that the firm of Baskin and Steingut has severed all of its relationships with the John P. Sears group, namely, John P. Sears, Philip J. Hare, Robert Kelley and John A. Ward.

Baskin and Steingut in accordance with the separation agreement of March 29, 1984, has severed all financial and client involvement with the John P. Sears group.

Very truly yours,

R.E. Fiorito
Controller

REF/mw

(END OF DOCUMENTS CONCERNING DISSOLUTION OF BASKIN AND SEARS)

Michelle Madoff:

Point of Clarification. Volpe-Rogal did not have the authority to pick legal counsel. The legal counsel could have been Mr. Stone, it could have been anybody else. Whoever was assigned by the Administration was going to be legal counsel; that happens to be Baskin and Steingut.

The Chair:

Call the roll.

Mr. Wagner:

Prior to voting I'd just like to make a comment. In regard to Bill No. 822, I would like my comments brought forward from last Wednesday's meeting.

(BEGINNING - MR. WAGNER'S REMARKS ON BILL NO. 822 - WEDNESDAY, 5/30/84)

Mr. Wagner:

I'd like to make a comment and a suggestion in regard to the choice of Volpe-Rogal by the Administration.

I sat through six presentations, as Ron Schmeiser knows, with six different companies that made proposals to the City of Pittsburgh and in my opinion three or possibly four of those six were very professional and I think could do an excellent job. One of those three or four was Volpe-Rogal, and Volpe-Rogal obviously has a very distinct advantage in that they have been administering the program for the past two years and I think that gives them an edge in that they understand the problems of the City of Pittsburgh and they can address those problems immediately whereas the other companies would have to come aboard and understand those problems and that would take a period of time, maybe even up to one year. So that in fact is a distinct advantage to Volpe-Rogal.

What I'd like to talk about and what is really the important matter, I feel, is our Workmen's Compensation Program. This City has, right now and in the past, $12 million to $14 million in workmen's compensation losses per year. That represents approximately five percent of our annual budget. We have an unfunded workmen's compensation liability from $40 million to $50 million. We are contributing approximately $500,000 per year to that unfunded liability.

No matter what company we choose to administer this program, they are going to have serious problems with the City of Pittsburgh unless the City of Pittsburgh, meaning the top management, meaning the elected officials in this City, meaning the Mayor, meaning the nine members of Council, meaning the Controller, take a serious approach and make a serious commitment to addressing these losses. Five percent of the budget is totally unacceptable. In the corporate sector they will not live with more than two percent. One percent is unacceptable, come two percent people are being fired in the corporate sector. Why has this problem existed in the City of Pittsburgh? That's the most important question that needs to be asked and we must address in the immediate future, if we are going to assist Volpe-Rogal, if we are going to assist the departments in this City to address this problem. What we need to do and what we don't have is, number one, we don't have a policy statement, we don't have a safety program in this City. There is not a policy statement indicating the commitment of the elected officials to address this problem. For that reason we have $12 million to $14 million in losses. Along with the policy statement,

we need to establish a program that has incentives and has penalties for the various departments that have the high-loss ratios and I'm talking specifically about the Fire Department, I'm talking about the Police Department, I'm talking about the Refuse Department, I'm talking about Parks, I'm talking about quite a few departments in this City. We need to establish a safety committee consisting of the Mayor, consisting of the Controller, consisting of members of Council, that meets periodically, probably monthly, with the department heads to discuss the progress that is being made in regard to reducing the number of losses.

The direction in which we are going now shows no indication that we are reducing those losses. We're stalling things slightly and I think Volpe-Rogal has done a good job, but this City still has not made the commitment that is necessary.

I understand that there is an initiative to hire a safety engineer. Our City has over 5,000 employees. We do not have a professional safety engineer; we certainly should, and I for one on Council will support that.

A company in private industry, once it hits a level of 500 workers, will have a full-time safety engineer. This City does not have any; that's part of the problem. The commitment needs to be made and what I'm suggesting is that within the immediate future that this Council, along with the Mayor, along with the Controller, sit down with Volpe-Rogal, with Mr. Schmeiser, with the Finance Department, with the risk manager of the City, Mr. Benedetti, with the future safety engineer that we anticipate hiring, and set up a program that lets the department heads know that we're serious about this problem. Let them know that if each year their losses continue to increase or if they are not diminished by a certain percentage, there will be penalties involved and there will also be incentives involved if those losses do increase according to certain ratios that are established. We need to make a serious, serious commitment. I'm talking about financial losses, $12 million to $14 million per year. What I haven't talked about is the loss of life which we have, the loss of possibly portions of the body, serious long-term injuries that could be occuring to workers, etc. They're the types of things that are happening in this City and have been happening for a number of years. That also relates to dollar figures. We do not and have not made a serious commitment and I'm going to give one small example. We do not have a policy in this City where people in the various departments are required to wear safety belts when they're driving City automobiles and trucks, and I'm asking the question, why not? We supply the vehicles, the people are employed by the City of Pittsburgh, the vehicles have safety belts, but they're not being used. Consequently, people are being injured in automobile accidents and consequently we are having financial losses. That's a small example of what can be done to not only reduce the potential of loss of life, but reduce the potential of dollars being taken out of the general operating fund.

Volpe-Rogal has a full-time safety engineer and that person has been working with the City. That person needs additional commitments by this Administration, by this Council. I am suggesting that we set up a safety committee consisting of elected officials and department heads in the very near future. I personally will not support any company unless this administration makes the commitment. The commitment must come from this table, the office next door, or else this piece of

legislation is of no need to this City. We don't need an insurance administrator if we are not going to support that insurance administrator. So I am suggesting to this Council, I'm suggesting to the Mayor, to the Administration, that we take immediate action in the near future to sit down to address this very serious problem.

(END - MR. WAGNER'S REMARKS ON BILL NO. 822 - WEDNESDAY, 5/30/84)

Mr. Wagner:

Next Monday, I will introduce into Council an ordinance suggesting that a safety committee be set up in the City of Pittsburgh consisting of the Mayor, elected officials, department heads and also representatives of Volpe-Rogal to address the workmen's compensation problem that we have in this City.

Also,

Bill No. 823

A Resolution entitled, "Resolution authorizing the Mayor and the Director of Finance to secure a Surety Bond and Excess Loss Workers' Compensation Insurance Policy in the amount of five million dollars ($5,000,000.00) to further secure its worker's compensation program, cost not to exceed One hundred and forty five thousand dollars ($145,000.00) chargeable to and payable from Code Account 44 Workers Compensation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Grabowski presented

Bill No. 860

Report of the Committee on General Services for May 30, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 817

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, and/or the use of existing Contracts, for the furnishing, delivery, and installation of a diazo printer for the Department of City Planning, chargeable to and payable from Code Account 1106 (Index Code 110601) (Equipment), and for the payment thereof, and transfer the sum of thirteen thousand dollars ($13,000.00) from Code Account 46 (Index Code 004606), Judgments and Interest on Judgments to Code Account 1106 (Index Code 110601) (Equipment), Department of City Planning." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. O'Malley presented

Bill No. 861

Report of the Committee on Public Safety for May 30, 1984 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 664

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Seven - Business Licensing, Article VII - Service Businesses, Chapter 763, Parking Lots, by amending the safety requirements for the licensing and operation of open and enclosed parking lots." —**(SPONSORED BY MICHELLE MADOFF)**

Which was read.

Mr. Grabowski:

I'd like to call to the City Clerk's attention that on this file copy there are at least nine omissions, misspellings and transpositions and I hope whoever does the typing on these file copies does a more thorough job in trying to proofread these things.

Michelle Madoff:

May I ask a question on that? Who did it?

Mr. Perry:

I'd have to check, Michelle.

Michelle Madoff:

We have this problem and I've raised the issue before, Mr. Grabowski.

The Chair:

The Clerk will look into it.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 862

Report of the Committee on Engineering and Construction for May 30, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 778

A Resolution entitled, "Resolution repealing Resolution No. 919, approved October 17, 1983, effective October 27, 1983, entitled 'Providing for a Contract or Contracts for the Demolition and Replacement of the Duquesne Incline Footbridge over Carson Street West, including work on private property and other work incidental thereto, and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 779

A Resolution entitled, "Resolution amending Resolution No. 911, effective October 27, 1983, entitled, 'Providing for an Agreement or Agreements between the City of Pittsburgh and the Port Authority of Allegheny County whereby the Port Authority agrees to assume ownership and maintenance of the Duquesne Incline Footbridge in exchange for the City's acceptance of ownership and maintenance of fences on the designated vehicular bridges', by providing that the Port Authority of Allegheny County and the Society for the Preservation of the Duquesne Heights Incline will do the rehabilitation of the Duquesne Incline Footbridge, and providing for the reimbursement to said Society by the City of Pittsburgh of an amount not to exceed $50,000.00 payable from Code Account No. PW 83-39, 4-13-30-0405-83, Index Code No. 304709."

Which was read.

Also,

Bill No. 780

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with Carnegie Institute in connection with the Renovation of the Hall of Architecture; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 821

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contracts for the refurbishing of Council Chamber on the Fifth Floor of the City-County Building; and providing for the payment of the cost thereof."

Which was read.

Michelle Madoff:

Is that for this room only? The monies to be used to improve Council Chambers has been set aside in the budget last year, in the Council budget, which is private and apart from this vote

today.

The Chair:

It has nothing to do with Council Chambers.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President, it has been called to my attention and I'm sure to all members of Council, that on the site of the old Arcade, unless we plant some grass or some trees, it is an eyesore. That building is not going to go up for about —

The Chair:

It can't be an eyesore yet; they're tearing the thing down.

Michelle Madoff:

It's torn down, it's leveled off and it's, at least, practically fenced in. What we'd like to know is whether someone will contact the parties that own that property —

The Chair:

I will contact them myself but in fairness, as far as that thing, it was just recently torn down within the last week, maximum two.

Michelle Madoff:

It's been about a month.

The Chair:

No, it hasn't because I personally saw the bulldozer on the property. I've been watching that thing because we dedicated the lot across the street.

Michelle Madoff:

That's a Hillman property; it belongs to Hillman now. The Jenkins Arcade has been down a long time.

The Chair:

That's the Hillman piece.

Michelle Madoff:

I wonder if somebody would contact, if it is the will of Council, I make that as a floor motion, that a letter go from the President of this Council asking Hillman if they would, as good citizens, grass that particular piece of property, put some benches out, because it is going to be a terrible eyesore and a dust producer.

I make that as a motion.

Mr. Woods seconded the motion.

Which motion prevailed.

Michelle Madoff:

Item two. I was contacted by a physician who alerted me that at Peabody High School, and I'm sure that it takes place at all the schools, when the youngsters are leaving school, they're walking six abreast on the road, and he's afraid that somebody's going to get killed by an automobile and he would like to see either more safety guards staying later or police assigned to these areas. He fears for the life of these children.

I think that ought to be passed on to somebody; I don't know who would be the appropriate — Would that be you, Mr. O'Malley? Would you take care of that? I'll give you his name so you can contact him.

Mr. O'Malley:

Certainly.

Michelle Madoff:

I want to point out that I will not be in Council next week; that's the Water Conference in Dallas that was booked months ago and I understand that Councilwoman Masloff will not be here. I hope we have a quorum; that when we go we let the President of Council know that we're leaving.

On another related matter, the issue is not whether Hustler was a good magazine, a bad magazine, and violated all the principles that most of us find offensive. The fact that the Mayor chose to make an issue has sold them out, sold more copies than they would ever have sold before —

The Chair:

Michelle, we have a bill coming up on that and I think you should just wait for that opportunity.

Michelle Madoff:

That's what I'm talking about. There should not be a bill coming up on that. There should not be a bill coming up on that. I believe that that bill should be paid, as suggested by the news media, out of the political fund of the Mayor of the City of Pittsburgh. The Mayor had no problem towing my car when I was doing City business from the side of the business to the tune, in the past three years, of over $1,400. When I was doing City business, three times out of the hospital, and having my car towed when it was wedged in and ruining my car so I had to buy a new car. I'm out about $3,500 or $4,000.

I certainly find what Hustler did offensive. If the Mayor wanted to make an issue that would help sell more magazines, boy, you couldn't find a copy and I think there's going to be more magazines sold in the future. Those people who support the way the Mayor went about it — it's not the issue, it's the approach that he took — should help pay the bill for the ACLU and I think the Mayor should pay for that out of his own political fund.

That is a motion, a floor motion, that the Mayor —

The Chair:

The Chair is not going to entertain that motion for the reason that there is a bill coming forward and you'll be asked to approve or disapprove —

Michelle Madoff:

And the bill is going to ask us to pay that? I would hope the Controller would reject that bill.

The Chair:

Anything else?

Michelle Madoff:

I think that's enough.

Mr. Robinson:

Mr. President and members of Council, last week our local media reported the sale of the Union Trust Building. I think one of the very significant things about that sale is that it's the type of sale and will generate the types of revenues that Council Bill 540 speaks to and that's the bill that we are presently holding and will be considered again in a couple weeks. I think that this type of windfall situation gives us a unique opportunity to do two things: one, provide some summer employment opportunity for deserving young people in this town and or to provide some emergency jobs for some of our people who are out of work. It is rare that we have a building of this type sold, maybe one or two a year, and while the amounts of money that are generated from those sales are significant in terms of tax dollars due us, it would seem to me that we could not put these monies to any better use than in trying to stimulate some employment opportunities for our young people and others who are out of work. I would hope in two weeks when Council Bill 540 comes back into Committee for consideration again, that members of Council will look upon it favorable, perhaps better appreciate its purpose and its intent and work along with me in trying to find a way to use some of our windfall profits, taxes, from the sale of buildings to stimulate some employment programs in the City of Pittsburgh.

The other item relates to the Western Restoration Center. Members of Council were very kind and gracious enough to entertain some concerns about the closing of that center and what was going to happen to the employees and to the patients. Unfortunately, the closing has already begun and, unfortunately, many of the employees probably will not receive opportunities in other facilities.

While there may be little that we can do relative to that situation at this point, I think certainly Council can do something relative to how that facility is going to be used. There are persistent rumors that that facility on Bedford Avenue in the Fifth Ward of the City of Pittsburgh will be used as an auxiliary jail site. I believe that I speak for the Fifth Ward community when I say that that is a totally unacceptable idea and I would hope that the Mayor and this Council would do everything in their power to keep that type of situation from occuring.

I think it would be appropriate to have our City Clerk forward a letter to the Department of Public Welfare and to ask Secretary Cohen very specifically how the building on Bedford Avenue, the Western Restoration Center, is going to be disposed of and what plans there are for its use.

As I get more information I certainly will share that with Council but I think it's only fair to say that this Council has gone on record as opposing auxiliary jail facilities in our residential neighborhoods, and certainly that portion of the Fifth Ward is a residential community and I know for a fact that the people in that community are definitely opposed to any sort of auxiliary jail site.

The Chair:

I'd just like to add one so that everybody is aware of it. As you may be aware, we had a couple of additional fires over the weekend in the Southside and I have been in contact with the Mayor, the Superintendent of Police, the Local Inspector, the Fire Chief, and they have been cooperating and will additionally do some things, which I'm not at liberty at this microphone to say, but they've promised their full support. I've asked for a report on it and if we don't get any better efforts than we have now, we have too many fires, we have too many in a small area, and it's too much. That community needs some relief; I've asked for it and I've gotten full cooperation so far from everybody involved in it and hopefully we'll catch onto this idiot that seems to be running around without regard for life or property.

Mr. Wagner:

In reference to Councilwoman Madoff's concern about the Jenkins Arcade, we had many fine businesses located in the Jenkins Arcade, which is now a demolished building and a vacant lot.

I'd like to make a motion that the City Clerk send a letter to the appropriate department in the City of Pittsburgh to determine where those businesses relocated and have a sign placed on that site indicating where those businesses are today, the addresses of those businesses, not only to help the individual businesses but also the customers that now are not aware of the locations of those businesses.

The Chair:

Mr. Wagner, in fairness, our Urban Redevelopment Authority was very active in helping to relocate. You've given me the opportunity to commend them for a job well done. They did some nice things in providing buildings and getting people to build buildings and to receive those tenants from the Jenkins Arcade. They've done an excellent job.

Mr. Wagner:

Mr. President, I totally agree with you. I think we have done a fine job but I don't think we have educated the public as to the location of those businesses and I think it would be both beneficial to the City, to the businesses and to the potential customers.

The Chair:

I agree with you. I think you're right.

Michelle Madoff moved to excuse Mr. Givens for absence from the meeting.

Mr. Robinson seconded the motion.

Which motion prevailed.

And on the motion of **Mr.** Robinson

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, June 11, 1984 No. 24

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, June 11, 1984

PRESENT:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Givens presented

No. 866 Resolution providing for the issuance of a warrant in favor of Domenic Parente Contractors, Inc., in the amount of $139,560.66 in payment for the emergency reconstruction of the Torley Street Sewer from Cullen Street to Pearl Street, and other work incidental thereto, chargeable to and payable from Code Account PW 84-29, 4-01-25-0754-84, Index Code 307058, Emergency Sewer Replacement.

Which was read and referred to the Committee on Finance.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Also,

No. 867 Resolution providing for the issuance of a warrant in favor of Myers Electrical & Industrial Supply Company in the amount of $37,900.50 in payment for the emergency purchase of the new Central Business District Standard Street Lighting poles and luminaries which were purchased and installed as part of the new Renaissance development in downtown Pittsburgh, chargeable to and payable from Code Account PW 84-23, 4-01-10-0010-84, Central Business District, Street Lighting.

Also,

No. 868 Resolution providing for

the issuance of a warrant in favor of Mobil Oil Corporation, in the amount of $2,279.20 in payment for the emergency purchase of Mobiltherm, a heating transfer oil, needed for the daily operation of the Asphalt Plant, payable from Code Account No. 1611, Supplies, Dept. of Public Works.

Also,

No. 869 Resolution providing for the issuance of a warrant in favor of K.A.E. Paving Consultants, Inc., in the amount of $3,528.72 in payment for the emergency purchase of asphalt sealing materials for use on the Fifth Avenue Bus Lane between Liberty and Sixth Avenues, chargeable to and payable from the Asphalt Reimbursement Trust Fund. Prior approval by Council dated May 11, 1984.

Which were severally read and referred to the Committee on Finance.

Also,

No. 870 Resolution granting unto Pizza Hut Incorporated their successors and assigns, the privilege and license to construct, maintain and use at its/his/her/their own cost and expense, an Electrical Vault in a portion of the sidewalk at 430 Wood Street in the 1st Ward of the City of Pittsburgh.

Also,

No. 871 Resolution granting unto (GTE) Sprint, their administrators and assigns, the privilege and license to construct, maintain and use at its own cost and expense, an Electrical Vault in a portion of the sidewalk of the Chamber of Commerce Building in the 2nd Ward of the City of Pittsburgh.

Also,

No. 872 Resolution granting unto Warner Center, their administrators and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a sign above a portion of the sidewalk of 332 Fifth Avenue in the 2nd Ward of the City of Pittsburgh.

Also,

No. 873 Resolution granting unto the U.S. Veteran's Administration (Oakland), their administrators and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an easement for electrical conduit in a portion of the sidewalk of Brackenridge Street in the 5th Ward of the City of Pittsburgh.

Also,

No. 874 Resolution granting unto J.B. Winberie, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Canopy over on a portion of the sidewalk of 738 Bellefonte Street, in the 7th Ward of the City of Pittsburgh.

Also,

No. 875 Resolution vacating Idaho Way from Nebo Street to Josephine Street, Neffle Way from Nebo Street to Josephine Street, Vonark Way from Nebo Street to Josephine Street and Nebo Street from the westerly line of Idaho Way to the easterly line of Vonark Way, in the 16th Ward of the City of Pittsburgh.

Also,

No. 876 Resolution vacating a 20 foot Unnamed Way (100 feet West of Mexico Street) from Falck Avenue, as vacated, to a point 128 feet northwesterly therefrom in the 27th

Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 877 Resolution providing for the issuance of a warrant in favor of Jack's Truck Parts in the amount of $10,985.00 for the purchase of a fire truck engine, payable from Code Account No. 1148, Automotive Parts, Dept. of General Services.

Which was read and referred to the Committee on Finance.

Michelle Madoff presented

No. 878 Resolution providing for the issuance of a warrant in favor of Richard F. Fontana, in the amount of $500.00 for consulting and research services rendered to Michelle Madoff, chargeable to and payable from Code Account No. 1001-2, Salaries, Wages and Services of Council. (Index Code 100123). **(SPONSORED BY MICHELLE MADOFF)**

Which was read and referred to the Committee on Finance.

Michelle Madoff:

I would like to clarify that and waive Rule 8. Should I waive it first or clarify it first? What is your pleasure?

The Chair:

If you want to waive Rule 8, waive it and we'll pick it up on Wednesday.

Michelle Madoff:

But I want to explain why this bill is introduced for those who may not understand. Mr. Woods —

The Chair:

Michelle, hold on. I don't see that's a problem. We're going to pick it up on —

Michelle Madoff:

Well, it is, because I think there are people here and who are watching who are going to wonder why. The name's a very popular name. He use to have a by-line with the paper.

The Chair:

So we get clear —

Michelle Madoff:

I'm just going to explain how I'm paying it through Mr. — It was voted on in this Council because Mr. Woods and several others wanted consultants, and the procedure for having consultants was not available to members of Council; and so Mr. Stone, I believe, and Mr. O'Malley — I'm not sure if I'm correct — came up with a solution that we could take money out our allotments for staff, transfer it to Mr. Perry, who's the City Clerk, and then he can pay it, because he is authorized to pay for consultants, providing Council votes for it.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also,

No. 879 Resolution providing for the issuance of a warrant in favor of

Beaver Valley Builders Supply, Inc., 906 Glenwood Avenue, P.O. Box 250, Ambridge, PA, in the amount of $874.00 in payment for sand furnished for the benefit of the City, payable from Code Account No. 1937 (193706), Materials.

Also,

No. 880 Resolution providing for the issuance of a warrant in favor of R&S Equipment Company, 100 Sylvan Avenue, Verona, PA 15147, in the amount of $808.95 in payment for repair of a Smith S-54 Tapping Machine furnished for the benefit of the City, payable from Code Account No. 1934, Repairs (193409).

Which were read and referred to the Committee on Finance.

Also,

No. 881 Communication from Daryl H. Smith, Director, Dept. of Water, requesting authorization for Stanley States to attend a two-day session at the EPA Health Effects Research Laboratory in Cincinnati, Ohio on May 21-22, 1984, at a cost not to exceed $150.00 payable from Code Account No. 1930, Misc. Services, Dept. of Water. Prior approval by Council on May 17, 1984.

Which was read and referred to the Committee on Water.

Mrs. Masloff presented

No. 882 Resolution authorizing the issuance of a warrant in favor of Cost, Inc., in the amount of $896.00 in payment for work at the Pittsburgh Aviary in connection with the Shotcrete/Gunite Construction, payable from the Aviary Trust Fund, ATF, Dept. of Parks and Recreation. Prior approval by Council Bill No. 4191, dated Dec. 22, 1983.

Also,

No. 883 Resolution authorizing the issuance of a warrant to Peg Strano in the amount of $200.00 in payment for the purchase of birds for display at the Aviary, payable from the Aviary Trust Fund, ATF, Dept. of Parks and Recreation. Prior approval by Council Bill No. 229, dated February 29, 1984.

Which were read and referred to the Committee on Finance.

Also,

No. 884 Resolution providing for the letting of a Contract or Contracts for the furnishing and delivery of play equipment for the Bureau of Maintenance, at a cost not to exceed $25,000.00 payable from Code Account No. 4-10-15-0008-84 (322859), Dept. of Parks and Recreation.

Which was read and referred to the Committee on General Services.

Also,

No. 885 Resolution changing the name of Herron Hill Reservoir in the 5th Ward of the City of Pittsburgh to Robert A. Williams Memorial Parks.
—(SPONSORED BY MRS. MASLOFF)

Also,

No. 886 Resolution authorizing the Director of the Dept. of Parks and Recreation to enter into a License Agreement with Tams-Witmark Music, Library, Inc., at no cost to the City of Pittsburgh.

Also,

No. 887 Communication from

Louise R. Brown, Director, Dept. of Parks and Recreation, requesting authorization for Gene Rutkowski to attend Cincinnati Kid's Fest in Cincinnati, Ohio on June 1-2, 1984, and to attend the Urban Animation Program in Columbus, Ohio on June 3-4, 1984, at a cost not to exceed $150.00 payable from Code Account SPP, Special Parks Program Trust Fund, Bureau of Recreational Activities, Dept. of Parks and Recreation. Permission is also requested for use of a City vehicle. Prior approval by Council on May 30, 1984.

Also,

No. 888 Communication from Louise Brown, Director, Dept. of Parks and Recreation, requesting authorization for Loretta L. Kinger to attend the Human Dynamics Seminar at the Marriott Greentree on July 13, 1984, at a cost not to exceed $170.00 payable from Code Account No. 1801, Misc. Services, Dept. of Parks and Recreation.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Wagner presented

No. 889 Resolution providing for the issuance of a warrant in favor of Noralco Corporation (Norm Hoffman, Vice President) in the amount of $135,855.45 in payment for an emergency contract in connection with the Removal of the McFadden Street Footbridge over East Ohio Street, chargeable to and payable from Code Account PW 84-38, 4-13-30-0001-84, Misc. Repairs to Streets and Structures, Index Code 307504.

Which was read and referred to the Committee on Finance.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Woods seconded the motion.

Which motion prevailed.

Also,

No. 890 Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company (Charles A. DiNardo, Vice President), in the amount of $30,780.04 in payment for Extra Work, beign in addition to the original contract price of $428,365.00 on Controller's Contract No. 26517, furnished for the benefit of the City in connection with the Rehabilitation of the 84" Brick Sewer in Heth's Run, chargeable to and payable from Code Account PW 83-17, 4-13-25-0753-83, Sanitary Sewers in Various Locations.

Which was read and referred to the Committee on Finance.

Mr. Woods presented

No. 891 Resolution providing for the issuance of a warrant to The American Civil Liberties Union, Sam Moore, Barbara Paul, Daniel Milberg, Michael P. Malakoff, Esquire and Rochelle S. Friedman, 508 Law and Finance Building, Pgh., PA 15219, in the aggregate total of $7,915.00 representing $7,750.00 in full settlement of this claim for counsel fees and $165.00 for costs, payable from Code Account No. 46, Judgments, Index Code No. 004606.

Also,

No. 892 Resolution repealing Resolutions, approved on various dates,

for sale of properties in various wards. Resolution is to cancel sales and forfeit the hand money as purchasers have failed to comply with the Agreement of Sale.

Also,

No. 893 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended.

Also,

No. 894 Communication from Richard S. Caliguiri, Mayor, requesting authorization for Jean Sickle to attend the annual conference of the National Association of Commissions for Women in Washington, D.C., on June 12-14, 1984, at a cost not to exceed $600.00 payable from Code Account No. 1017, Misc. Services.

Also,

No. 895 Communication from Melanie J. Smith, Director, Dept. of Personnel and Civil Service Commission, requesting amendment to Council Bill No. 631 which authorized reimbursement for expenses incurred by Gail Erny in attending a seminar on Job Analysis in Chicago, Illinois, on May 21-23, 1984, by increasing the total amount of reimbursement from $730.00 to $786.89 payable from Code Account No. 1100, Misc. Services, Dept. of Personnel and Civil Service Commission. The increase in expenses is due because Ms. Erny had to change motels the second night of her stay.

Which were severally read and referred to the Committee on Finance.

Mr. Grabowski presented

No. 904 An Ordinance amending and supplementing the Pittsburgh Code, Title Seven - Business Licensing, Article VII, Service Business, Chapter 763, Parking Lots, by amending the safety requirements for the licensing and operation of open and enclosed parking lots. **—(SPONSORED BY MR. GRABOWSKI)**

Which was read and referred to the Committee on Public Safety.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 896

Report of the Committee on Finance for June 6, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 773

A Resolution entitled, "Resolution repealing Resolution No. 211, effective April 3, 1984, entitled, "Providing for a Contract or Contracts, or the use of existing Contracts, for the purchase and instllation of poles and street lights at various locations within the City of Pittsburgh, and other work incidental thereto; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 813

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of PB&S Chemical Company, Section 970, Louisville, Kentucky, 40289, in the amount of $900.00 in payment for demurrage charges furnished for the benefit of the City in connection with delivery of liquid chlorine to the Water Treatment Plant; and providing for the payment thereof."

Which was read.

Also,

Bill No. 814

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Allegheny Business Machines Inc., in the amount of $561.94, in payment for the purchase of repair services to office equipment in the Department of Parks and Recreation, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 824

A Resolution entitled, "Resolution providing for the issuance of a warrant to Ella VanKirk Craig and David W. Craig, her husband, c/o Thomas Hollander, Esquire, 711 Frick Building, Pgh., PA 15219, in the amount of $27,500.00 in full settlement of a claim for personal injuries and providing for the payment thereof."

Which was read.

Also,

Bill No. 825

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Milt Lupus, c/o Financial Management Services, in the amount of $3,900.00, for professional services rendered to Pittsburgh City Council in conjunction with a review of the financing plan presented for the proposed Pittsburgh Water & Sewer Authority, without previous authority of law, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone

Mr. O'Malley (Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 826

A Resolution entitled, "Resolution providing for the issuance of warrants in the aggregate amount not to exceed $15,000.00 in favor of persons who provide professional proctoring and coordinating services for the benefit of the City in connection with the administration of the Department of Personnel and Civil Service Commission's 1984 Entry Level Police Officer Examinations and providing for the payment thereof."

Which was read.

Mr. Givens:

I vote aye on all bills except Bill 826 and Bill 827 I vote no. 826 and 827, as you can recall were the testing processes that were to be administered to our new police applicants. Civil Service only had one date open in a whole week and one hour that a couple of them could sit down with a lonely Councilman or two to go over some of the procedural things that they're given in this test.

We've all heard it very loud and clear and the people of the City of Pittsburgh that the morale of our Police Department is not what it should be. I'm hearing it loud and clear. There are some equipment failures out there right now. There are some testing procedures that are letting people get into our Police Department that shouldn't be in our Police Department, and I think this Council should take this very seriously and sit down with this Commission to see what directions and emphasis they are giving.

So for those two, plus Bill 827 is for the Convention Center itself, I would make a motion that these two bills will be held for one week, and I put that in the form of a motion, so we can have the Civil Service Commission, if they can take time out of their busy schedules, that they can come up here on a Wednesday on a Post Agenda, but I first make a motion that we make —

The Chair:

The only problem that I have, Mr. Givens —

Mr. Givens:

There's no problem. There is a motion on the floor, Mr. President, and if I don't get a second, fine.

Mr. Wagner seconded the motion.

The Chair:

I don't mind people challenging my rules as long as they understand what's happening, but you have created the conflict yourself by saying you were voting and —

Mr. Givens:

By not discussing the bills before I voted on them, right?

The Chair:

And we did right before this ask, if there were any questions. Any discussion on any of the bills. The Chair heard nothing. The Chair then called for voting, and at that point you, voted and

now you're making a motion during the time that you're voting.

Mr. Givens:

Yes.

The Chair:

Okay.

Mr. Givens:

That's a little out of procedure, but I think each Councilman has the right to explain his vote, and in explaining that vote the thought came, the fact that the Commission cannot meet with me only on a one-hour period, that I thought that was kind of irate; and I thought that Council should be aware of that, Mr. President, number one. Number two, I think there is concern.

The Chair:

Hold it. Let me back you up a minute so we can just get this thing done properly. We'll avoid the vote here for a second and go back to the motion on the bill, which is to hold the two bills.

Mr. Woods

You mean the motion is to recommit?

The Chair:

Yes, on those two bills. I have a motion and a second on that. Mr. Wagner are you renewing your second on the recommittal on those bills?

Mr. Wagner:

Yes.

The Chair:

Discussion.

Michelle Madoff:

I believe I concur with the concern that Councilman Givens has had. He and I have both voted no in final budgets because of the lack of the number of adequate police, but I don't think we're going to help the situation any if we don't pass on these bills because all we're doing is compounding a felony.

We don't have enough police. We have due dates that are dates set. We better get on with hiring, because we lose more by attrition then we gain each year. When the Mayor puts on a class, we end up with 40 and lose somewhere between 40 and 50. It's a wash, and it's a little game playing.

But, unfortunately, we get blamed. It's our heads that are in the noose, and if we vote against it, we don't accomplish anything except it's a protest vote. Mr. Givens, I agree with your position, but I don't think we have any choice. I think we have to go with it in order to try to get the police that are needed.

Mr. O'Malley:

I'm going to support Mr. Givens' motion to hold. I'm in disagreement why he made the motion but as Chairman of Public Safety, I would like to have the prerogative from my Council colleagues to hold these bills, especially Bill 826.

I just learned that Civil Service procedure in hiring proctors is inconsistant with the wishes of this Council. It seems to be a number of the proctors that are hired that are paid $144 a day are non-City residents. That means that people that they hired as

proctors to watch while the examination is going on is from outside the City of Pittsburgh, and I think that's inconsistent with the policies and wishes of this Council about hiring City residents to be City employees.

So, as Chairman of Public Safety, I'd like to have the prerogative to hold these for at least two weeks to look into that.

The Chair:

Any other discussion?

Mr. Woods:

Yes, Mr. President. I realize that Mr. O'Malley is Chairman of Public Safety. These bills do fall under Finance and under Personnel, and I would like to have them not recommitted. I think all we are doing is going after testing. Mr. Givens is concerned in a number of other — my colleague's concerns are over the psychological testing and this has nothing to do with psychological testing.

I don't feel that we can get the Civil Service Commission and tell them what to do. I thought that was fully explained last Wednesday by Mr. Grabowski, who was a State Representative. They are a body all their own. We can't tell them how to run their Committee.

Mr. Grabowski:

Mr. President, I sort of recall from Wednesday's discussion that there was some time element involved with passing this Wednesday. Now, I can't recall exactly what time frame we're talking about. I'm not sure what the case is, because I believe there was a motion last week to hold it for a week —

Michelle Madoff:

June 23rd. Today's the 11th.

Mr. Grabowski:

That is a rather close time constraint.

Mr. O'Malley:

I'm in agreement with Councilman Woods. Part of this does come under his committee. Where I have the problem, it's not with Civil Service and it's not with Civil Service testing. Where I have the problem with this is them hiring over 50 proctors, 50 people that live outside the City of Pittsburgh and paying them $144 a day when I'm sure that we all know people who are unemployed who live in the City of Pittsburgh and who pay taxes; and before I vote on this piece of legislation, I'm going to make sure that Civil Service corrects what I consider an error and inconsistency with the policies of this Council of paying $144 a day for people who do not live in the City of Pittsburgh.

Michelle Madoff:

Amend the bill.

Mr. Woods:

I'd be all for amending the bill to say that the proctors must live in the City of Pittsburgh.

Michelle Madoff:

That's what I just said.

Mr. O'Malley:

That legislation is being prepared.

Mr. Woods:

We can amend the bill right now and sav that the proctors being hired will live in the City of Pittsburgh.

The Chair:

The only problem I have with that is it's a legal — I don't think —

Mr. O'Malley:

No, this bill does not address the hiring procedure. This bill just addresses the payment of the hiring procedure, but I am preparing legislation that will require that.

The Chair:

Judging from what I read on the legal cases as they are today, there's a little bit of conflict, but the majority view happens to be that you cannot put in your legislation that it only be for City residents. I think all nine of us if we had our choice would vote that way, but I think legallv we cannot do it.

Mr. O'Malley:

You're wrong in that. The City of Pittsburgh can require the City employees live inside the City of Pittsburgh and I'm certain that the people we hire on a part-time basis can reside in the City of Pittsburgh.

The Chair:

Well, as I indicated, there's some conflict, but the majority seems to be the other way.

Mr. Wagner:

The comment has been and not only at last Wednesday's meeting but today that we should pretty much agree with the Civil Service Commission. I stated last Wednesday and I'll state again that I do not think that if we see flaws existing in hiring procedures, whether they be for physical requirements or mental requirements, that we should appropriate dollars for tests that are initiated by the Civil Service Commission.

We all know that we have people applying for jobs as police officers with B.S. degrees in criminology, with Masters degrees in criminology that are exceptionally qualified for that position but yet are being turned down for that position.

Originally, I requested two weeks ago information pertaining to this examination, not knowing what type of examination it was. I was denied. I further requested information pertaining to the past examination. I was denied that information, and at the same time, the Civil Service Commission wants this legislative body to approve the dollars for that examination.

We, the elected officials, are held responsible for the quality of the people that work for the City of Pittsburgh. We see some flaws in the quality and the morale of the Police Department. For that reason, I requested that information. I was denied that information. For that reason, we are not capable of judging whether or not that testing procedure is adequate for hiring qualified individuals, and for that reason, I cannot support this legislation.

I would like to bring up one last point. The timing of this legislation I think creates some questions. This legislation could have been initiated weeks ago, months ago, knowing that we do need police officers. We've known that, and I know this body has addressed that problem for the last couple of years.

Why has this legislation been submitted at such a late period in time? Has it been submitted at such a late period of time that we would sit here and quarrel that if we hold the legislation we are, in fact, harming the potential of hiring needed police officers in this City? I suggest that yes, that could be a possibility; but even if that is a possibility and even if it is at such a late time, I still feel we should hold this legislation as suggested by Councilman Givens.

Mr. Woods:

One more comment, Mr. President, and I agree that we should try to hire all the City people we can. In any case, professional services, whatever, but proctoring, I believe, comes under the professional services contract, that type of individual. Today we just read $3,900 for a consultant that we hired, Council hired from Harrisburg, and we're going to approve that, and we do this many, many times in this Council.

I see no difference in this $3,900 that we're going to pay financial management services out of Harrisburg than hiring these proctors for $144 for one day. I see no difference at all, and that's why I'm going to vote to pass this legislation.

The Chair:

Hold on. This issue right now is whether we recommit, not the bill.

Mr. Givens:

I'd just like to respond to that. This little detail, the hiring of several hundred people that we're short in the Police Department, I think that's very critical compared to one consultant up in Harrisburg that's trying to get us legislation to give us additional money. Both are important jobs, but this to the people of the City of Pittsburgh is a dire necessity that we do something, and all I'm asking is that I have my day in court. I ask that the Civil Service Commission come here this Wednesday and present themselves, and I'll have some questions to ask them, and I'm sure other people will, and we'll get along with this thing very quickly and expeditiously as possible. I think some questions must be asked, and I want some directions not only from this but from the psychological testing, the physical testing that must be done also.

Our requirements apparently are not meeting the standards of other Police Departments throughout the country, throughout the country. That is our responsiblity. The taxpayers elect us to this office to make those judgments, and I hope for the sake of this Council we could at least air those opinions with the Civil Service Commission.

Remember, ladies and gentlemen, that we do — I think, Mike, if I'm correct, the Mayor appoints and we also give our approval to all the members who are on that board. Any board, any authority is under our direct control. If we in this Council do not feel that any board or any authority is doing its thing, then we can recall that authority minus its bonding indebtedness and a few other things; but we do have that authority, and I'm hearing it loud and clear. I want to be on the record that I want that Civil Service Commission to come up here. If they can't meet with me and a couple other Council people in a whole week's time period, then I suggest they come here at our Wednesday legislative session, and that will be an order.

Mr. Woods:

Mr. President, I'd like to clear up just one thing. I believe Mr. Givens

misunderstood me. I said that we hired a consultant out of Harrisburg; to me, that is the same thing as hiring these proctors, not the policemen. The policemen that will be hired will be City residents. That's not what I said. I'm talking about the proctors.

The Chair:

Let's call the question on whether to recommit or not.

Mr. Grabowski:

One further question, Mr. Stone, if I might, of Councilman Woods. If we did hold this bill for one week, would you see any problem — I mean we would be voting on it finally on the 18th and I think it has to be in place by the 23rd. Do you see it as being too close?

Mr. Woods:

I think it would be, and that's why I'm voting not to recommit.

Michelle Madoff:

It's too close. Why don't we amend it right now? I'm sorry. I'm out of order.

The Chair:

Call the vote.

Mr. Wagner:

Mr. President, may I make one final commment?

The Chair:

She's got to go before you, then.

Mr. Wagner:

Okay.

Michelle Madoff:

May I suggest, since this seems to be some kind of a consensus of time frame, which is what I raised earlier, that we amend the bill right now to save the proctors. We're legal under the Rules of City Charter that say we hire City employees, will be residents of the City, and vote on the bill.

Mr. O'Malley:

I'd like to take both bills separately, please, 827 and 826.

The Chair:

All right, we're dealing with 827 for the moment.

Mr. Givens:

826 and 827. One is for the testing; the other is for the Convention Center.

The Chair:

Which two do you want recommitted?

Mr. Givens:

My motion is if you go forward with one, you have to go forward with the other.

The Chair:

Which number bills?

Mr. Givens:

All right, 826 and 827.

The Chair:

All right, Mr. O'Malley said 827 and 828, which are still in the air.

Mr. O'Malley:

And 826 and 827.

The Chair:

All right, we'll take 826 first. I'm going to separate the vote in view of the request here.

Mr. Wagner:

Mr. President, prior to that can I make a comment. In regard to the timing of the legislation if we hold this bill one week it will come for final vote next Monday, which is the 18th. If you recall we had a vote pertaining to the allocation of dollars for proctoring service for firefighters examinations within the last six weeks. The timing on that legislation was much tighter and much closer within days, and the final vote did not in any way cause a problem within that close time frame. I suggest that the same thing holds true here, and for that reason, there is no reason why this Council cannot hold this piece of legislation for one week and request the presence of the Civil Service Commission to ask some very important questions that should have been asked and should be asked pertaining to why we're not hiring qualified people for police officers such as those that have degrees in criminology.

Michelle Madoff:

May I respond?

The Chair:

I would hope not and I would like to get Bill 826.

Michelle Madoff:

May I please?

The Chair:

You may.

Michelle Madoff:

Mr. Wagner, with all due respect, I think you're on track. However, you may not believe this, but it is fact that this Council has in depth discussed these issues, raised these questions, had these Bureaus here before us, and we will have to keep fighting this battle on. I don't think holding up this particular bill or endangering the time frame is going to be the answer.

We're not going to solve it with this bill or today. We agreed in principle with what you're saying, but that isn't going to be resolved now. We're going to have to address again and again the fact that we've had tests given to people who have passed the test and not been hired in the psychological testing, have passed the physical and pyschological and not been hired. We can't get any answers. Now, I've advised people to go out on their own and two physicians on their own and be tested and sue the City, but you're not going to resolve it now by having another hearing, because they treat us like we're just windowdressing and we're going to have to organize and fight back because we're now getting perhaps the five votes that are needed to do that. But holding up this bill is really not the answer. The issue is going to go on before this bill. I would vote for it and hold a hearing.

Mr. Wagner:

That is exactly what Mr. Givens is suggesting, to organize and fight back by holding it one week to have this brought up to committee to be discussed in detail like it should be discussed in detail.

Michelle Madoff:

I don't think you understood me. We have had hearings that went on all day long, and if I'm correct, it was one of the longest hearings we ever had here in Council. I ran a notice in the personal column saying if you passed the psychological test or if you passed the physical police test and were not hired, please contact my office.

Mr. Perry, how many people were at that hearing? It went all day, and they ignored us. Then we had the psychological testing people in here. We had the Administration in here and we're not going to accomplish anything by re-doing that again.

Mr. Woods:

Mr. Chairman, I'd like to make one final comment. By holding this legislation is not going to help or hurt a person that has a degree in criminology. In fact, it's going to help them. This is an aptitude test. This isn't going to change one thing by holding this piece of legislation. When we come up to the psychological testing and that's where many of people felt that they were more qualified than others failed then that's when we have an argument, and I agree we shouldn't have psychological testing, but this has nothing to do with many of my colleagues' arguements. This is an aptitude test, so those who have a degree in criminology always score very, very well in this test, and it will not hurt them one bit; and I'm not sure that we are putting people that are not qualified on the police force. I think we shouldn't be throwing that term around at all. We don't know that.

Mr. Givens:

I knew it. I hear it from the people and I hear it from the police officers, and I can't hear it from anyone else but myself. When the crime happens to you, that's a crime that's very personal.

The Chair:

We are going to move to Bill 826, and there is a motion and a second to recommit. We'll call for the vote. Discussion is over.

The Chair:

My vote really doesn't count in view of the majority already, but I would be less than fair, having sat as Finance Chairman toward the end of the year in which we made an insistance that there be additional police, and even though there was some comment whether we could even have one, we wanted two. That was inserted into the budget, two classes. To attempt to do a major review relative to the aptitudes and the kind of police that are involved is not going to be accomplished in one week. It is in the hands of Judge Weber, not even in the hands of our Civil Service Commission; and these requirements have required this City to do certain things that maybe this City might like to do otherwise, but the law has seen fit to determine how we shall handle most of our selection of police officers.

As, I indicated, my vote really makes no difference, but I vote no.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner

AYES 6 NOES 3

VOTING NO:

Mrs. Masloff
Mr. Woods
Mr. Stone
(Pres't)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Also,

Bill No. 827

A Resolution entitled, "Resolution providing for a Lease Agreement between the City of Pittsburgh, Department of Personnel and Civil Service Commission and the Public Auditorium Authority of Pittsburgh and Allegheny County for the administration of the Department of Personnel and Civil Service Commission's Entry Level Police Officer Examination on Saturday, June 23, 1984 and providing for the payment of the cost thereof."

Which was read.

The Chair:

On Bill 827 we are talking about recommittal only. Call the question.

I vote no and I just want to add something to what I said before and that is that I think we ought to get the police as quickly as possible.

Michelle Madoff:

Mr. Stone, point of personnal information. Is this the second or the first class going on? This is the first class, am I correct? You said something about —

The Chair:

Yes.

Michelle Madoff:

We had voted for two classes. I think you may have misled the public.

The Chair:

Will you hold for a minute.

Michelle Madoff:

I'm just asking a question. It is the first class, is that correct?

The Chair:

Call the vote please.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Wagner
Mr. Grabowski	

AYES 3 NOES 6

VOTING NO:

Michelle Madoff	Mr. Robinson
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
	(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Bill No. 827

A Resolution entitled, "Resolution providing for a Lease Agreement between the City of Pittsburgh, Department of Personnel and Civil Service Commission and the Public Auditorium Authority of Pittsburgh and Allegheny County for the administration of the Department of Personnel and Civil Service Commission's Entry Level Police Officer Examination on Saturday, June 23, 1984 and providing for the payment of the cost thereof."

Which was read.

The Chair:

We'll now take all of the other bills and call the question. Take the vote.

Mr. O'Malley:

Am I correct in assuming that if I vote aye on all bills except Bill 826 —

Ms. Johnson:

826 was recommitted.

Mr. O'Malley:

Aye on all bills.

Mr. Givens:

And for my correction I had 826 and 827 I voted no on. I think I could have been misinterpreted one way or the other.

The Chair:

For everybody's information, we have already recommitted 826.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)
Mr. Robinson	

AYES 8 NOES 1

VOTING NO:

Mr. Givens

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 828

A Resolution entitled, "Resolution providing for an Agreement with the Pittsburgh-Allegheny County PIC in connection with excess PIC Planning Grant funds and providing for the receipt by the City of one-half of the excess funds received by the Pittsburgh-Allegheny County PIC in an amount not to exceed $24,000.00 and providing for the deposit of such funds."

Which was read.

Also,

Bill No. 829

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Arthur Young and Company for professional services in connection with the development of an Indirect Cost Allocation Plan for submission to the Federal Government; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 897

Report of the Committee on Public Works for June 6, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 803

A Resolution entitled, "Resolution vacating a portion of Ravenna Street in the 7th Ward of the City of Pittsburgh from the westerly right-of-way line of Shady Avenue for a distance of 847.49 feet therefrom in a westerly direction."

Which was read.

Also,

Bill No. 804

A Resolution entitled, "Resolution vacating a portion of Carron Street in the 7th Ward of the City of Pittsburgh from the Southerly right-of-way line of Ravenna Street for a distance of 15.33 feet therefrom in a southerly direction."

Which was read.

Also,

Bill No. 805

A Resolution entitled, "Resolution vacating a portion of Yardley Way in the 7th Ward of the City of Pittsburgh from the southerly right-of-way line of Ravenna Street for a distance of 60.43 feet therefrom in a southerly direction."

Which was read.

Also,

Bill No. 806

A Resolution entitled, "Resolution vacating a portion of Melmore Way in the 7th Ward of the City of Pittsburgh (Section A) from the southwesterly right-

of-way line of Penn due for a distance of 202.70 feet therefrom in a southwesterly direction and (Section B) from the southerly right-of-way line of Shakespeare Street for a distance of 20.26 feet therefrom in a southerly direction."

Which was read.

Also,

Bill No. 807

A Resolution entitled, "Resolution vacating a portion of Swope Street in the 7th Ward of the City of Pittsburgh from the southerly right-of-way line of Ravenna Street for a distance of 96.28 feet therefrom in a southerly direction."

Which was read.

Also,

Bill No. 808

A Resolution entitled, "Resolution vacating a portion of Shady Avenue in the 7th Ward of the City of Pittsburgh from the southerly right-of-way line of Penn Avenue for a distance of 355.25 feet therefrom in a southerly direction."

Which was read.

Also,

Bill No. 809

A Resolution entitled, "Resolution vacating a portion of Emerson Street in the 7th Ward of the City of Pittsburgh from the southerly right-of-way line of Ravenna Street for a distance of 83.22 feet therefrom in a southerly direction."

Which was read.

Also,

Bill No. 810

A Resolution entitled, "Resolution vacating a portion of Shakespeare Street in the 7th Ward of the City of Pittsburgh from the southerly right-of-way property line of Port Authority of Allegheny County East Busway for a distance of 156.47 feet therefrom in a northwesterly direction."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

Bill No. 898

Report of the Committee on Planning, Housing and Development for June 6, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 777

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A(8) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the Southside Hospital for authorization to use the existing structure known as Taylor Hall for hospital purposes, including administrative offices and classrooms; to construct a new 62 stall visitor parking lot; to construct a new 30 stall parking lot for physicians; to construct a landscaped parklet along MARY STREET and to provide a total amount of parking spaces of at least 330 stalls in open air parking lots in lieu of the five-story parking garage as proposed under Resolution No. 450 of 1980, in the 17th Ward."

Which was read.

Also,

Bill No. 818

A Resolution entitled, "Resolution providing for the issuance of a Certificate of Appropriateness for exterior work to be done on the residential structure in the MANCHESTER HISTORIC DISTRICT at 1410-12 Sheffield Street (Block and Lot 22-P-254 and 255) in the 21st Ward. Also providing for Certificates of Appropriateness for exterior work to be done on the exterior of the residential structures in the MEXICAN WAR STREETS HISTORIC DISTRICT at 609 N. Taylor Avenue (Block and Lot 23-J-294) and 1217 Resaca Place (Block and Lot 23-J-235) in the 22nd Ward."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

Bill No. 899

Report of the Committee on Parks and Recreation for June 6, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 811

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Bloomfield Youth Athletic Association for professional services during 1984 and providing for the payment of the cost which is not to exceed $5,000.00 chargeable to and payable from Code-Account No. 1838, Index Code 183806, Recreational Activities, Miscellaneous Services,

Department of Parks & Recreation, and transferring $5,000.00 from Code Account No. 10, Index Code 001008, Accounts Payable Prior Years, to Code Account No. 1838, Index Code 183806, Miscellaneous Services, Department of Parks and Recreation." **—(SPONSORED BY MR. GIVENS)**

Which was read.

Also,

Bill No. 815

A Resolution entitled, "Resolution providing for an Agreement or Agreements with an independent contractor to provide professional services in connection with the Department of Parks and Recreation's recreational programs, and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 816

A Resolution entitled, "Resolution providing for authorization to enter into an Agreement or Agreements with various contractors for services in conjunction with the 1984 City Wide Events and providing for the payment of the cost which is not to exceed fifteen thousand ($15,000.00) dollars and is chargeable to and payable from Special Parks Program Trust Fund (SPPTF), Code 254359, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Wagner
Mr. Grabowski	Mr. Woods
Michelle Madoff	Mr. Stone
Mrs. Masloff	(Pres't)
Mr. O'Malley	

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Malley presented

Bill No. 900

Report of the Committee on Public Safety for June 6, 1984 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 832

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title Seven - Business Licensing, Article VII, Service Businesses, Chapter 763, Parking Lots, by adding a new Section 763.08 entitled "Disabled Parking" and renumbering Section 763.08, License Fees, to Section 763.12." **—(SPONSORED BY MR. WOODS)**

Which was read.

Mr. Grabowski:

Mr. President, I have an amendment to that legislation. I do believe copies were distributed to all Councilmembers.

The Chair:

And your motion is?

Mr. Grabowski:

To amend this bill incorporating the amendments that I have so drafted and placed in the bill.

Mr. O'Malley seconded the motion.

Michelle Madoff:

Where is it? I haven't got a copy of it.

Mr. O'Malley:

I don't have a copy of it either.

Mr. Grabowski:

They were placed in all Council's boxes on Friday.

Michelle Madoff:

Excuse me. Is the bill to amend the garage parking?

Mr. Grabowski:

Yes it is.

Michelle Madoff:

We just can't move on it that quickly. There are too many items. We have to take them one at a time and go through it very slowly, because there's no way we're voting on this until I go through it, every item, because as I see it, it actually wipes out the block security bill, because it isn't just one issue. There are many others. Do you want to take them one at a time?

Mr. Grabowski:

Let's take them one at a time. I can explain them.

Michelle Madoff:

Would you, please. Let's start with the first one.

The Chair:

I have a motion and a second.

Mr. Grabowski:

Actually, there are four changes that I am making. Three are of my own, and one is technical in nature.

The first amendment you'll notice on number one, I'm changing the original provision in the legislation that stipulates the time in which the surveillance must take place.

Michelle Madoff:

I disagree with that.

Mr. Grabowski:

Let me finish, please.

The Chair:

Michelle, you asked for his explanation. Now, you let him explain, and then we'll get down to voting on it.

Mr. Grabowski:

In the original legislation as it is now, it states that surveillance shall be from 10:00 a.m. to 1:30 a.m. I intend to

strike that provision and in its place require the garage owners to conduct surveillance for 16 hours but at their discretion.

Michelle Madoff:

Can we handle that one first? Take one at a time.

Mr. Grabowski:

Let's handle that one first.

Michelle Madoff:

All right, one at a time. I have been touring the garages myself. I've gone through six of the garages. I will tell you that I have had personal experiences talking to people who have been — I will give you two examples — one of the garages — I don't want to mention garage names, but one of the garages downtown that has lower levels had a young woman who works for Kaufmann's had her car ransacked on Thursday, and she was mugged the following Monday. I saw her personally with a black neck. Her neck was pitch black where she had been choked in attempted mugging and rape.

She has not reported it to the police. Her supervisor at Kaufmann's introduced her to me. I asked her why she didn't go to the police. She felt it would be some kind of stigma. Our offices had many, many calls of this nature. We had three young women trapped in a garage and couldn't get out, a physician trapped in a garage and couldn't get out. It would necessarily be during these 16 hours because they shut doors, and there have been so many attacks in garages not reported.

The only way I would go along with 16 hours and remove from 10:00 a.m. to 1:30 a.m. is if a sign is posted "park at your own risk" or the alternative being we shut the garage and don't run it the other four hours. I think it is not fair to have the garage only secured from 10:00 a.m. to 1:30 a.m., because we're having episodes happening at two in the morning and we're having episodes happening at nine in the morning, especially during the Christmas holidays. The police records will identify particular burglaries and cars at that time. Either they shut down or they open the garages and provide security. You can't have it both ways.

Mr. Grabowski:

Well, as you stated, if you feel it's unfair that the garage be under surveillance from 10:00 to 1:30, I would suggest you vote for my amendment.

Michelle Madoff:

No, I'm saying it should be around the clock 24 hours if the garage is open 24 hours. It's already in the bill. The bill already was amended. As you may recall, we took out the painting and we included a mechanism for actually monitoring, because people can right now say they've been walking through the garage and monitoring and not do it.

Now, I do not believe that from 10:00 a.m. in the morning until 1:30 at night is sufficient, because people are out later —

Mr. Grabowski:

That is your language, Michelle. That's the language that you put in the original bill.

Michelle Madoff:

But during peak business hours but not less than 16 hours per day.

Mr. Grabowski:

You put in 15-1/2 hours that these garage operators must conduct surveillance. 15-1/2 hours from 10:00 to 1:30 a.m.; that's 15-1/2 hours.

Michelle Madoff:

We are in the process of meeting with — every garage practically is in violation, particularly the City garages. We have started to amend the bill to tighten the bill. We've already tightened the bill in several areas. We want to have inspection 24 hours or shut the garage down as opposed to what you're proposing now. We want to amend the bill to say 24 hours inspection or shut down the hours that you're not inspecting as opposed to 10:00 to 1:30, which the bill says at this present time.

Mr. Grabowski:

I believe my amendment is tightening that provision.

Michelle Madoff:

Well, we want it tightened even further.

Mr. Grabowski:

If you want to tighten it further then you offer an amendment later on. That's the first amendment.

Michelle Madoff:

Well, then my amendment would be that we have it 24 hours.

Mr. Grabowski:

Well, you amend it at some other point. My amendment is what we're considering right now.

Michelle Madoff:

Go ahead.

Mr. Grabowski:

The second amendment that I intend to make is delete where it makes reference to security personnel. I see no reason why uniformed security personnel that must be hired from an outside agency have to come in to conduct this surveillance. I see no reason why the garage personnel cannot do that, and I'm deleting the provision that's in there now stating that security personnel must conduct the surveillance.

Michelle Madoff:

Wait, I'm sorry. You lost me on that. You're saying you don't care who does the surveillance; they do not have to be in uniform, according to your feelings?

Mr. Grabowski:

It must be garage personnel.

Michelle Madoff:

And you don't think they should be in uniform?

Mr. Grabowski:

They will be in uniform. If you'll note number five, after the word uniform —

Michelle Madoff:

What is the section of the bill that you are amending of 6304? What section?

Mr. Grabowski:

Let me show you the original and how it will look.

Michelle Madoff:

I have it in front of me.

Mr. Grabowski:

It will say uniformed garage personnel. I'm deleting security here and here, and in its place I'm placing garage.

Michelle Madoff:

We met with the garage owners, and they felt that there not be any confusion between the people who are getting the money, people who are managing, and those who are guards, and that there should be a deletion —

The Chair:

The Chair will clarify something for a moment. The present bill says during the peak business hours but not less then 16 hours per day. That's what his motion is. The old bill as it is now, unless it's amended, says from 10:00 a.m. until 1:30 a.m. That would be 12, 13, 14, 15. It's 15-1/2 — no, not quite.

Mr. Grabowski:

14-1/2.

The Chair:

Yes, 15-1/2. He's extending it an extra half-hour.

Michelle Madoff:

Mr. Stone, may I respond to that? I have been in these garages at 2:00 in the morning. There are cars and there's nobody there, and it is dangerous. It was brought to my attention by Jim Flaherty, the former Commissioner, whose daughter works in the club and is going home after that hour, and he wants a security guard for her. She's terrified.

The Chair:

Just a moment. The bill presently is 15-1/2 hours, and what he's doing is enlarging the hours.

Michelle Madoff:

And I'm asking my colleague to consider changing it to 24 hours or closing the garage the hours they don't have security.

The Chair:

And your colleague has so informed you that he had a motion and that if you cared to make a contribution, that will be upon you to do.

Proceed, Mr. Grabowski.

Mr. Grabowski:

It's my intention that the garage, personnel can also conduct the surveillance. They can be the one's that actually go around to the Detex machines and every half-hour check it to make sure that everything is safe on each floor. Like I say, I see no reason why it has to be security people. So, I'm. —

Michelle Madoff:

That is why even the garage owners disagree with — they feel that they should not be mixing the two and that those people — what they'll do, then, is not be hiring all the new people that have created jobs. Incidentally, all the new security jobs are a result of this bill, and what they'll do is use the present

staff to be walking through and not be there to escort people to their cars.

For example, I went to a hospital and I said, "Where is your guard?" I ask that at every garage I go into. They said, "Oh, he's now walking through another garage that we have in another building." That person couldn't be taking money, walking through escorting people and also be walking through the floors.

I've also found that I talked to one of the guards and said are you covering each floor, I think there was eight floors on this garage, every 15, 20 minutes, half-hour and he said, "No, it depends on how people I'm escorting to cars."

So, what you're doing is really weakening and deleting the bill if you take the people working for the garage who are not hired specifically to patrol the garage, and they should be uniformed, because that is a deterrent, the fact that they are in uniform.

Mr. Grabowski:

They will be uniformed garage personnel according to my amendment.

Michelle Madoff:

Who has suggested that?

Mr. Grabowski:

I suggested that.

Michelle Madoff:

So, in other words, you're going to say to the garage owners, you will put your people to collect the money into uniforms; is that right? Because they're going to be able to do both things. They're going to be able to collect money, just be personnel, and also be security people.

Mr. Grabowski:

Yes.

Michelle Madoff:

I would vote against that.

Mr. Grabowski:

Okay, you can vote against that.

Michelle Madoff:

I think it would be a great weakening of the bill.

Mr. Grabowski:

The final amendment that I have deals with a waiver, and specifically I'm incorporating or at least attempting to incorporate this provision for the sake of the Allegheny Center Mall, which has approximately 13 or 15 entrances and exits, and it's really not prudent to have each of those entrances covered at all times. With this amendment that I'm offering, if the garage owners can convince the Bureau of Building Inspection that this provision would be a hardship in this case, then the Bureau of Building Inspection could grant a waiver.

Michelle Madoff:

May I respond? Who's going to explain the waiver to the mother of the child who's hurt going into that garage that we don't have security? That is absolutely asinine. Excuse me; I don't want to personalize this. The whole point of this bill is to have security in garages. They make their money. This particular garage is one of the most flagrant violators of civil rights. They brought in a bunch of people from the South, warehoused them to do work in their garage. They really don't care about anybody. Have you ever tried to

go through that garage and even find your way around in it? It is the worst-run garage. It is a horrible garage. It is a dangerous garage, and if they don't want people at entrances, let them shut down that entrance. They don't want to have security guards.

Mr. Grabowski:

Well, if they can convince the Bureau of Building Inspection that that's the case, I'm sure that a waiver would not be granted.

Michelle Madoff:

You would have to convince this Council.

The Chair:

We have before you all of the amendments.

Michelle Madoff:

No, there are a couple more that I want questions on.

Mr. Grabowski:

One other thing. Those were the three basic amendments that I am offering. There's also a technical amendment that is also in this legislation, and it merely cleans up part of what Michelle's amendment did last week. It's purely technical in nature. She didn't go far enough in making her amendment.

Last week when Councilwoman Madoff amended this legislation, she removed a provision that originally was in there stating that the garage walls had to be painted white; and in deleting that provision, some language was left there that should have been deleted, and this provision takes care of that. It was merely technical in nature, complying with her request.

Michelle Madoff:

It's all concrete walls. May I comment on that, if I may?

The Chair:

No. The Chair does not understand this amendment.

Michelle Madoff:

May I explain it?

The Chair:

No, I want it from the person making the motion for the moment.

Mr. Grabowski:

Where it makes reference to all concrete walls.

The Chair:

All right, that's G under 76304.

Mr. Grabowski:

Right. Last week Michelle's amendment to this legislation deleted the provision that said all concrete walls must be painted white, and it got into the foot-candles.

The Chair:

Right.

Mr. Grabowski:

Where it begins all concrete walls, that should have also been part of Michelle's amendment. It should have been deleted, and it was inadvertently not.

The Chair:

Where would you delete?

Mr. Grabowski:

All concrete walls in all enclosed parking garages in which attendants do not park all the vehicles.

The Chair:

Okay. And down below will it be —

Mr. Grabowski:

What it should read, if my amendment goes in, Councilman Stone, it will read, on and after January 1, 1985 the lighting in every part of all enclosed parking garages in which attendants do not park all of the vehicles shall be a minimum of five-foot candles at all times measured at the level of five feet above the ground.

Michelle Madoff:

What does six mean? Your are deleting after the word garage, the word security — on what line is that? You've got the word uniform —

Mr. Grabowski:

I'm deleting security in two places.

Michelle Madoff:

I want to see where it is. This is where we have a bone of contention. I'm saying security people, and you're saying security and the garage personnel are one and the same; is that your contention?

Mr. Grabowski:

Yes.

Michelle Madoff:

You're expanding it? It should not just be for the security. It should be for the security and the people that are running the garage.

The Chair:

Did you try to put the word security three lines from the bottom on the bill? Do you have it?

Michelle Madoff:

Would you read the place exactly where it is please? Section what of what bill? Give me the number.

The Chair:

76304-F. That's what is says above.

Michelle Madoff:

On what line?

Mr. Grabowski:

The first amendment I'm deleting —

Michelle Madoff:

Provide security personnel. You're saying provide all personnel, so I said you're expanding it. That's right; you're expanding it everybody, security or whoever is covering it. That's making it tougher, okay. And where's the other security?

Mr. Grabowski:

I've stricken out everything in red that's being stricken.

Michelle Madoff:

And you're saying no person who is responsible for collecting money or parking cars shall also be responsible for surveillance. You want them to be responsible for surveillance. I do not.

The Chair:

He wants the duties separate. He wants what you want, Michelle.

Michelle Madoff:

No, no, no. He's also scratched out no person who is responsible for collecting money or parking cars shall also be responsible for surveillance. He's scratching it out. I had it in; he's taking it out.

May I suggest we hold the bill for a week?

Mr. O'Malley seconded the motion.

The Chair:

Hold on. The first question we need is we have some amendments. They've been motioned and seconded.

Michelle Madoff:

Well, we haven't gone through all the amendments. There are some more.

Mr. Grabowski:

No, those are the amendments.

The Chair:

He's covered all of his amendments.

Michelle Madoff:

Well, I would think that my colleagues would need a week to digest those amendments. Mr. Grabowski has done some housekeeping where I didn't eliminate walls on lighting because I'm more interested that it be lit than be painted. I don't care if it's painted purple as long as it's light enough.

The bone of contention that I think we need some time to think about before we vote on the bill is the fact that the additions, the fact that extending it a half-hour being open. I think if they're going to be open, doing business and making money, you should provide security. Put a sign up, "park at your own risk," or close down; and I don't think you mix apples and oranges by saying that anybody working there can act as a guard when they're not indeed a hired guard in uniform, because I don't think they'll hire the people and there will not be jobs for people, and they'll get away with murder, and I mean murder.

Mr. Grabowski:

Mr. Stone, let me withdraw my motion to amend this bill. Let's let it go. I'll put these provisions in as a separate bill. That way we won't hold up Councilman Woods' bill today, and we can discuss it at length at another meeting.

Michelle Madoff:

I would appreciate it.

Mr. O'Malley:

I withdraw my second.

Which motion prevailed.

The Chair:

All right, all the amendments are withdrawn. The bill is as it was in its

ordinary form.

Michelle Madoff:

Don't we have this already, Mr. Woods?

Mr. Woods:

No.

Michelle Madoff:

You mean that this City has not provided disabled parking? Everywhere I go I see five or six —

Mr. Woods:

The Pittsburgh Parking Authority provides it, but there is no such law that requires it in private parking. If they do it, they do it on their own.

Michelle Madoff:

You mean they do it on their own?

Mr. Woods:

Some do and some don't.

Michelle Madoff:

I see. I did not know that. Thank you.

The Chair:

Call the question.

Mr. Givens:

I vote aye, and I commend Ben Woods on making provisions for the handicapped. Thank you.

Michelle Madoff:

Before I vote, Mr. Woods, we've had a number of calls in the office that, while people have parking spaces and even ramps, particularly the ramps where Mr. Stone has fought for so hard to get the City to put them in, but they're not designed properly. I have a friend I think he's also a friend of yours, whose wife has been paralyzed for years and has great experience with wheelchairs. He says the wheelchair won't go over the ramps as they're presently designed, and in some places I have actually seen a ramp on one side of the street to get off but no way to get up on the other side of the street. That ramp situation is really a mess, so I think at some point we would like to tie both in, Mr. Woods.

The Chair:

Michelle, I've already called for a review on that item.

Michelle Madoff:

I'd appreciate it. I sent the disabled people who met with me up to meet with Mr. Gaetano to give them their particular complaints, but this one has come in from this position since then, and you know who I'm talking about.

Aye on the bill.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner

Michelle Madoff Mr. Woods
Mrs. Masloff Mr. Stone
Mr. O'Malley (Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 901

Report of the Committee on Engineering and Construction for June 6, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 850

A Resolution entitled, "Resolution amending Resolution No. 1210, effective January 1, 1984, entitled, 'Resolution adopting and approving the 1984 Capital Budget and the 1984 Community Development Block Grant Program; and approving the 1984 through 1989 Capital Improvement Program,' by adding a line item and by adjusting the Summary Totals." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski Mr. Wagner
Michelle Madoff Mr. Woods
Mr. O'Malley Mr. Stone
(Pres't)

AYES 6 NOES 1

VOTING NO:

Mr. Givens

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 851

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Bohlin, Powell, Larkin, Cywinski, for Professional Architectural Services in connection with Phase I and Phase II of the remodeling of Council Offices and providing for the payment of the cost thereof." (AS AMENDED IN COMMITTEE)

Which was read.

Michelle Madoff:

Why couldn't we have designed it in-house? Why did we have to go out and hire somebody for $15,000 to do this?

The Chair:

Michelle, relative to this particular project, every member of Council was asked that they receive the same amount of space as the others. Everyone has asked that we do it expeditiously; and the Chair, the President is only doing your request of what was asked of him.

Relative to this particular item, it

was felt that they could not do those items in-house for one. Number two, they had to be done at an oppertune time so that this body could function.

In view of that, as I have told every Councilperson before this bill came to the Finance Committee meeting, the amount of work that has to be done cannot be done in a two-week period, because this Council by the Home Rule Charter is required to meet 50 weeks out of 52, leaving only two weeks left.

In view of that, there had to be another moment in which additional work could be done. Thus the reason for creating Stage I and Stage II.

In view of the fact that the Fourth of July is on a Wednesday, in view of the fact that that would be an opportune time plus the week before if we — that's the more opportune time is the way you should say it, because none is. It created a situation that would give the best opportunity for Stage I to be able to do the kind of demolition that was done and then get the walls in and thereafter go into the vacation period for Stage II to do some of the work.

In view of those time constraints, which were set by the ability to do the work, that is the way that this all came to bear.

Michelle Madoff:

May I repeat my question? Why could we not have an in-house design? Why do we have to pay $15,000? The reason I asked the question Mr. Stone is that I bought a condo and gutted it myself. I had some people do it, but I did all the design and all of the outlining. It didn't cost me very much to do it. Like about 20 minutes.

Mr. O'Malley has sat down with pages and pages and designed room space. I don't think there's a member of this Council, including yourself, who couldn't go and say this is how we want this space done and have somebody do it, and I don't think we need to pay $15,000. I think we have enough expertise in-house to say this is how we want it done.

The Chair:

There's electricity involved, there's plumbing involved, there's a type and quality of materials involved; and the kind of demolition — it's not as easy as one might think.

Michelle Madoff:

$15,000 for a design I think is ludicrous. It's my personal opinion, and I might add I feel the same way about the Law Department designing its doorway. The people doing the work could have designed the doorway.

The Chair:

Call the question.

Michelle Madoff:

Aye on all bills except 851 we do not need a $15,000 consultant.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Woods
Mr. O'Malley	Mr. Stone

Mr. Wagner (Pres't)

AYES 5 NOES 2

VOTING NO:

Mr. Givens
Michelle Madoff

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

Bill No. 902 Communication from Richard S. Caliguiri, Mayor, appointing Mr. Stephen S. Grabowski of 466 42nd Street, Pittsburgh, Pennsylvania 15201 to the Pittsburgh Equipment Leasing Authority for a term to expire December 1987.

Mr. O'Malley seconded the motion.

Michelle Madoff:

Discussion. I am not going to vote. I think Mr. Grabowski is very, very qualified. This is not a personal issue. To me it is a personal issue. I have never been appointed in the six years that I have sat on this Council to any Board and Commission, and the reason for that obviously is the Mayor's terrified that I might investigate it.

Therefore, I will vote for nobody to be appointed to any Board or Commission. From here on in, that will be consistent. Unfortunately, you're the first.

The Chair:

It might be overqualification, Michelle.

Michelle Madoff:

Oh, I know I'm overqualified. I realize that, but we have a lot of underqualified people.

Mr. Givens:

I'm going to go along with Michelle. It's about time the Mayor appoint all members to various authorities. There are enough authorities to go around to all the people on this Council, and I think that's a slight on the Administration's part and, in fact, the Mayor's part, and you can go much deeper than that; and it's no slight against Stephen Grabowski, who has been a very dear friend of mine. Stevie, good luck to you.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski Mr. Woods
Mr. O'Malley Mr. Stone
Mr. Wagner (Pres't)

AYES 5 NOES 2

VOTING NO:

Mr. Givens
Michelle Madoff

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Grabowski:

Mr. President, I'd like to make a motion that we return to the presentation of papers, and I'd like to present the amendments that we discussed earlier today.

Mr. O'Malley:

For what purpose?

The Chair:

He wants to introduce legislation to get the time advantages as of today.

Mr. O'Malley:

Are you going to introduce a new piece of legislation?

The Chair:

Yes.

Anyone opposed?

All right, put it in and fit the bill in proper order for a — it will come up in 10 days.

Michelle Madoff:

On June 8th a memo was given to all members of Council with reference to the subject of a visit to review the financial offices of Ms. Ronnie Goldsmith, Fiscal Analyst, Baltimore City Council, and her phone number. A tour of the Baltimore financial operation has been arranged for Friday, June 29th at 10:00 a.m. Please notify my office if you would like to attend. The following information is included for the convenience in making your travel arrangements.

I do hope you can participate in this overview tour. The date is Friday the 29th; time, 10:00 a.m. The place is City Hall Center, Baltimore, 4th Floor and so on. If people wish to stay over and get there the night before, the hotel suggested is the Hyatt Baltimore, and I think that we should extend that invitation to people like Mr. Buckley, or anybody in the Budget Office who may benefit from seeing this.

I also would not be adverse to our Fiscal people, Mr. Schmeiser having this invitation extended to him, but I think it would be totally worthless if I go down alone and come back and say we need a Fiscal Anaylst and there's a difference between an analyst and an advisor, and then we get into that hassel.

I would hope that members of Council — it is probably the singular most important thing that we've done — or I feel that I would be doing in the six years that I've sat on this Council, because every time we vote in this Council, we vote with the information that we can find by scrounging around with our own sources of expertise and from what the Administration tells us. We are not autonomous. There's always a conflict of interests, and I would hope that this would be one source that we would look at. My colleagues may have another source that they would like to look at. I would be happy to join them, and I would like to know if there's anybody here who's willing at this point to make a committment that they're coming.

The Chair:

Anyone desiring to go will notify Michelle.

Michelle Madoff:

Mr. Woods, you are going; is that correct?

Mr. Woods:

Yes, I am.

Mr. O'Malley:

I'd like to make a quick comment. Basically, because too often many members of this Council are two quick to criticize, I'd just like to comment on the excellent job yesterday that KDKA, Giant Eagle and Coka Cola did in bringing the people of Pittsburgh to the Roberta Flack show last night at the Three Rivers Arts Festival.

I attended it and my estimation is over 75,000 people were there. It was an excellent show. It was very enjovable. For the most part, the people were well behaved; and I think the Pittsburgh Police Department did an outstanding job, along with our Public Works Department who also did an outstanding job, and I think those people are to be commended.

And on the motion of **Mr. Woods**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, June 18, 1984 No. 25

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, June 18, 1984

PRESENT:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

At this time, I am honored and pleased to make an announcement to all of my colleagues that we have designated Linda Johnson to receive the recognition as a tribute to women in City government sponsored by the Mayor's Task Force on Women in Renaissance II on June 21st. She has demonstrated a dedication to her career and to City government by her willingness to take on new responsibilities and strive for excellence.

Linda, on behalf of all of us, obviously we're pleased to see that you are so honored and we are equally pleased because it's one of ours and we likewise share the joy that you share.

Thank you much.

Linda Johnson:

Thank you very much.

Mr. O'Malley:

If I could add to that, I think it was a wise decision by members of this Council to give Linda the opportunity as the Assistant Clerk. I, for one, think she handles the job very well.

The Chair:

I would like included in the Record the personal background on our awardee, Linda Johnson, and we'll make it part of the Record.

(PERSONAL BACKGROUND - LINDA JOHNSON)

Linda Johnson, Asst. City Clerk

Personal Background

1. 35 years old
2. Marital Status - widowed
3. Mother of two daughters: Yvonne, age 16 and Vanita, age 12.
4. Born and raised in Omaha, Nebraska, becoming Pittsburgh resident in 1967.

Schooling

1. High school graduate
2. Two years business accounting school

Work History

1. 1979 began working with City government as a Council Clerk, City Clerk's Office.
2. 1982 Appointed by Council as Assistant City Clerk who is responsible for the due and faithful performance of all matters and things to be done and performed in the office of City Clerk. In addition, the City Clerk shall: (a) Attend all the meetings and keep accurate minutes of all the proceedings of Council in books provided for that purpose; (b) Maintain custody and control of all papers which may be presented to and by Council; (c) Have control of the Clerk's office and all matters pertaining thereto; (d) Have the power to administer oaths or affirmation to any business relating to Council of its committees.

Community Activities

1. Member of Lincoln Avenue Church of God:
 Served on various committees, such as Coordinator of the Childrens' Program, Nominating Committee of Board of Trustees, also Board Member of the project creating family center.
2. Chadwick Civic League - Executive Board Member (Standing member for five years).
3. 12th Ward Allegheny County Democratic Committee Member.
4. 14th District Committeewoman.

(END - PERSONAL BACKGROUND - LINDA JOHNSON)

Mr. Givens presented

No. 904 Resolution vacating Shakespeare Street from relocated Shady Avenue to the eaterly side of Vose Way, Vose Way from Penn Avenue to Shakespeare Street and Melmore Way from relocated Shady Avenue to the southerly boundary of Block and Lot No. 84-G-223, excepting and reserving an easement for the 15 inch sewer line located in Shakespeare Street and Melmore Way in the 7th Ward of the City of Pittsburgh.

Also,

No. 905 Resolution granting unto the Highland Building, 121 South Highland Avenue their administrators and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Post and Siamese Standpipe in a portion of the roadway of Antler Way in the 11th Ward of the City of Pittsburgh.

Also,

No. 906 Resolution authorizing the execution of an Agreement with the Commonwealth of Pennsylvania, Dept. of Transportation and the URA of Pgh. providing for the construction by the authority of certain public improvements to West Carson Street designated as Legislative Route 736 Extension, Section 43, and providing for the repair, operation and maintenance by the City

of certain items in connection therewith.

Which were severally read and referred to the Committee on Public Works.

Mr. Robinson presented

No. 907 Resolution providing for an Agreement or Agreements with Sounds of Heritage, Inc. for professional services during 1984, at a cost not to exceed $6,000.00 chargeable to and payable from Code Account 1838, (Index Code 183806), Misc. Services, Dept. of Parks and Recreation; and transferring $6,000.00 from Code Account 10, Accounts Payable Prior Years to Code Account 1838, Misc. Services, Dept. of Parks and Recreation. **—(SPONSORED BY MR. ROBINSON)**

Which was read and referred to the Committee on Parks and Recreation.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also,

No. 908 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Historic Allegheny Associates for the sale of certain properties in the 21st Ward of the City in Redevelopment Area No. 27 (Resale for Rehabilitation).

Also,

No. 909 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Historic Allegheny Associates for the sale of certain properties in the 21st Ward of the City of Pittsburgh (Resale for Rehabilitation).

Also,

No. 910 Resolution approving execution of a Contracts for Disposition of Land by and between the Urban Redevelopment Authorit of Pittsburgh and various Redevelopers for the sale of properties in the 21st Ward — Redevelopment Area No. 27 (Resale for Rehabilitation).

Also,

No. 911 Resolution approving the sale of Parcels 66, 147 and 148 (1431-1437 Liverpool) in the 21st Ward of the City of Pittsburgh by and between the Urban Redevelopment Authority of Pittsburgh and The Women's Christian Association of Pittsburgh and Allegheny (The officers are: Charles W. Pruitt, Jr., President and Director; Mrs. Thelma Arbogast, Vice President and Director; and Mrs. Martha J. Perry, Secretary and Director) for the sum of $4,050.00 — Redevelopment Area No. 27 (Driveway access and parking).

Also,

No. 912 Resolution approving the sale of properties in the City of Pittsburgh by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for $100.00 per lot — in the 13th & 18th Wards, Property Management and Maintenance Program and Residential Land Reserve Fund.

Also,

No. 913 Resolution approving Contracts by and between the Urban

Redevelopment Authority of Pittsburgh — Property Management and Maintenance Program and Residential Land Reserve Fund in the 4th, 10th, 18th and 26th Wards of the City of Pittsburgh for $1.00 per lot.

Also,

No. 914 Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and certain redevelopers for the sale of certain properties in the 5th, 14th, 22nd and 26th Wards of the City of Pittsburgh (Urban Homesteading Rehabs).

Also,

No. 915 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 10th Ward of the City of Pittsburgh owned by Chester C. Boniecke and Emilie Boniecke and designated as Block and Lot 50-L-30 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee nad the Planning Commission of the City of Pittsburgh.

Also,

No. 916 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 10th Ward of the City of Pittsburgh owned by Helen La Manna and designated as Block and Lot 50-M-10 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 917 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 10th Ward of the City of Pittsburgh owned by Albert E. Gold and Manuel Gold and designated as Block and Lot 50-M-11 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 918 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 10th Ward of the City of Pittsburgh owned by Arnold Gold and Barbara Gold and designated as Block and Lot 50-L-22B in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, property certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 919 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 10th Ward of the City of Pittsburgh owned by Robert M. Metzger and Bessie M. Metzger and designated as Block and Lot 50-L-25D in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 920 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in

the 10th Ward of the City of Pittsburgh owned by Rudolph and Ann Fukus and designated as Block and Lot 50-L-25E in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property certified as Blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 921 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 10th Ward of the City of Pittsburgh owned by Shirley A. Leasure and Kim A. Leasure and designated as Block and Lot 50-M-12A in the Deed Registry Office of Allegheny County under the Residential Land Reserve Fund, said property certified as blighted by the Vacant Property Review Commission of the City of Pittsburgh.

Also,

No. 922 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by Paul Hajducko and Anna Hajducko and designated as Block and Lot 22-F-283A in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 923 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 10th Ward of the City of Pittsburgh owned by Harry Ebbitt and designated as Block and Lot 50-M-13A in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 924 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 10th Ward of the City of Pittsburgh to acquire that property in the 10th Ward of the City of Pittsburgh owned by Elizabeth J. Mahon and designated as Block and Lot 50-M-18A in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 925 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by Victor C. Fry and designated as Block and Lot 22-K-37 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 926 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Louise Blanchard and designated as Block and Lot 23-J-66 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property certified as blighted by the Vacant Property Review

Committee and the Planning Commission of the City of Pittsburgh.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 927 Resolution providing for a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh for the installation of sidewalks in connection with the Gualtieri Manor Project, at a cost not to exceed $21,930.00 chargeable to and payable from CDLB 80-14, 4-13-95-0003-80-093-80-13, Public Property Sidewalk Program, Index Code #433896.

Also,

No. 928 Resolution further amending Res. No. 522, eff. May 29, 1981, as amended by Res. No. 829, eff. September 30, 1983, entitled: "Providing for a Contract or Contracts, or use of existing Contracts, in connection with Public Property Sidewalks and providing for the payment of the cost thereof," by reducing the total allocation from $100,000.00 to $65,658.32 chargeable to and payable from Public Property Sidewalks CDLB 80-14 in the amount of $25,658.32, and Public Property Sidewalks CDLB 81-09 in the amount of $40,000.00.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Woods presented

No. 929 Resolution providing for the issuance of a $1,506.28 warrant in favor of Richard Kovach and South Pittsburgh Savings and Loan in settlement of a claim for sewer line damage, payable from Code Account No. 46, Judgments.

Also,

No. 930 Resolution transferring $5,000.00 from Code Account No. 1022, Salaries, Regular Employees, to Code Account No. 1022-1, Premium Pay.

Also,

No. 931 Communication from Melanie J. Smith, Director, Dept. of Personnel and Civil Service Commission, requesting authorization for David Farley to attend a meeting of the Pennsylvania Service Delivery Area Association in Harrisburg, PA on July 18, 1984, at a cost not to exceed $350.00 payable from the JTPA-I Trust Fund, federal funds. The purpose of the regularly scheduled monthly meeting is to elect officers and conduct other business of the Association.

Also,

No. 932 Communication from Melanie J. Smith, Director, Dept. of Personnel and Civil Service Commission, requesting authorization for Bill Jarzabek and Walter Fortson to attend the Bureau of Job Training Partnership seminar on Management Information Systems in Harrisburg, PA on June 22, 1984, at a cost not to exceed $600.00 payable from JTPA-I Trust Fund, federal funds. Prior approval granted by Council June 12, 1984.

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 933

Report of the Committee on Finance for June 13, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 852

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Landau Building Company, in the amount of $5,354.09, in payment of an Emergency Contract for the repairs to prevent any further structural damage to the Clarifier Building at the Aspinwall Water Works (northern brick veneer wall) from the water leakage and winter conditions; and providing for the payment thereof."

Which was read.

Also,

Bill No. 853

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of General Electric Company in the amount of $37,180.00, in payment of the emergency repair of an Allis Chalmers synchronous motor at the Brilliant Pumping Station, and providing for the payment thereof."

Which was read.

Also,

Bill No. 854

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Casey Company, in the amount of Forty Six Thousand Two Hundred Sixty Four ($46,264.00) Dollars in payment for Extra Work, being in addition to the original contract price of Nine Hundred Seventy Eight Thousand Eight Hundred Eighty ($978,880.00) Dollars on Controller's Contract No. 26042, furnished for the benefit of the City in connection with the reconstruction of the Radcliffe Street Bridge without previous authority of law; providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 826

A Resolution entitled, "Resolution providing for the issuance of a warrant in the aggregate amount not to exceed $3,000.00 in favor of persons who provide professional proctoring and coordinating services for the benefit of the City in connection with the administration of the Department of Personnel and Civil Service Commission's 1984 Entry Level

Police Officer Examinations and providing for the payments thereof." (AS AMENDED IN COMMITTEE)

Which was read.

Michelle Madoff:

On Bill 826, it is not clear, the bill on the entry level, the proctoring services. I would like if the Clerk would please send a letter, and I'd like a vote of this Council to have our own counsel, we have available to Council a choice of counsel. I'd like a legal opinion, and some of my colleagues join me in searching for the same information, as to what rights we will have at budget time which is rapidly approaching to insure that there will be more police in the coming year. As we determined earlier, we gained 46, I think, and lost 56, so we're 10 below where we started and as you know from the report that I had distributed to all the members of Council that during one given pay period, instead of 1200 some police we only had 1000 some police on duty that week.

This City is in a terrible situation. The Mayor can go out all he wants to the South Side and assure that we're going to have more police patrolling there but you're taking the police from some other community. There are not enough police in the City in these times and we, as Councilmembers, have decided that we want police. We propose and the Mayor disposes. I want to know what legal grounds we have for enforcing and making it possible —

The Chair:

The only problem I have is that we're talking about proctoring services here on the test.

Michelle Madoff:

Well, the proctoring services are for the hiring of police so it's an appropriate time to bring the issue up.

The Chair:

Yes, but you really stretch that, Michelle. I think that the question is are you for or against the proctorial services?

Michelle Madoff:

I agree with Councilman Givens that the proctoring test leaves much to be desired. However, I am voting for it because we need police; let's not go below the number we have. But at the same time, it is my prerogative to request, and I just spoke with Councilman O'Malley, it's his Department of Safety Committee, and we have distributed that list showing where the lack of police exist at this point. You yourself, long before I got to Council, have asked for police.

The Chair:

I'm just saying the bill before us deals only with proctoring services —

Michelle Madoff:

But proctoring deals with the hiring of police. The hip bone is attached to the thigh bone. I'm asking this Council to vote because you took that privilege away from us. When President DePasquale was here we had permission from him. Now we have to get five votes in order to hire an attorney. I don't want Mr. Pellegrini who parrots everything the Mayor tells him to say.

The Chair:

I'm not saying what you're saying is wrong; I'm saying your timing is wrong.

Michelle Madoff:

Do you want me to wait and do it again at the end of the meeting?

The Chair:

I would respectfully request that you bring it up at a later time.

Michelle Madoff:

I think it's very appropriate now; we're dealing with the hiring of police.

The Chair:

It may be very appropriate but the only bill before me is $3,000 relative to proctoring services.

Michelle Madoff:

I'll wait until the end of the meeting.

The Chair:

That's all; I'm not faulting what you're saying.

Mr. Givens:

For clarification to Council, Mr. President, it was Grogan, Graffin and McGinley law firm, if you can recall, that we went to them, this Council, as a body, asking the legal opinion as to whether or not we can force the Mayor to hire additional police officers and that legal —

The Chair:

Wait Dick, I'm on the same thing with her. If that comes up under Motions —

Mr. Givens:

That legal report came back and said that this Council cannot appropriate the money and if the Mayor does not choose or wish to choose to put the force out there then there's other means that this Council has at it's disposal —

Michelle Madoff:

I want to know what those other means are. That's what I want from a legal counsel.

Mr. Givens:

On Bill 826, I have some comments. Number one, on Wednesday's meeting I was shocked to find out that in giving any test within the City of Pittsburgh, including this one, it will be administered and the proctors will be secure in it, that the department heads do not have access to that particular test and that they do not review the final version of that test. All the materials they might give our Director of Personnel to make up a test is one thing but I think ultimately the department heads, in this case the Superintendent of Police, should be the person that should review any test that's given to people that are going to come into his department because ultimately he has to be the person that has to manage those people and I think therein lies some problem that we have.

Mr. President, I can address to you and because of the Police Department the comments that I have received and probably all of this Council have received, that something must be done. They indicate that the new recruits are not up to standard compared to other recruits that have been given in

years gone by. All of us can ask our questions why, but the safety and the security of the people of the City of Pittsburgh are the things that we are pledged, as well as the Mayor and as well as every police officer, to uphold that safety. As a result, I think that something must be done and must be done very quickly and I ask you, Mr. President, to form a committee to investigate into these allegations because otherwise we have committees here, we have Jim O'Malley who serves on that Public Safety Committee and I think through him and his leadership we have to delve into these questions that are coming to us in the field, in the neighborhoods, and if we don't then someone else will by not voting for us when that appropriate time comes.

I think that's a very strong request that I make that this committee be formed and really look into it. We have the power to subpoena if need be in this Council to get at the bottom of this and why it's happening and if it's because of any orders or any ten point veterans' preference or regardless of what the situation might be, I think this Council has to get to the bottom of it and at least be able to explain to the public why it is happening and do they want it to happen this particular way.

Secondly, I think out of this when one looks at those particular classes that have been hired over the last several years, phys into these allegations because otherwise we have committees here, we have Jim O'Malley who serves on that Public Safety Committee and I think through him and his leadership we have to delve into these questions that are coming to us in the field, in the neighborhoods, and if we don't then someone else will by not voting for us when that appropriate time comes.

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Secondly, I think out of this when one looks at those particular classes that have been hired over the last several years, physical fitness is something that must be brought into the scope of testing and along with that is strength and agility, like that of the test that they might give a fireman. That has to be brought in and should be brought in during this present sequence of test for the new police officers.

Thirdly, I'd like my remarks, Mike, brought forward from last Wednesday, in total, and that of John Bingler and the two people from the Personnel Department. All their remarks are to be brought forward to the Municipal Record. This thing will not be put to bed until such time as this Council investigates and reports back to the people.

Thank you, Mr. President.

(BEGINNING - MR. GIVENS' REMARKS ON BILL NO. 826 - WEDNESDAY, 6/13/84)

Mr. Givens:

I think the reason we held this bill, I think, is to bring in the Civil Service Commission and I would like to ask them some questions on this particular test itself. This is paying for the proctors, but it is the whole thing,

the testing itself and can we ask for John Bingler to come to the table?

THE CHAIR COMMENTS

Mr. Givens:

It's concerning this bill, but it's paying of this bill, the whole process and the testing that will be administered at this particular thing, as to whether or not we should even go on with this bill or the previous bill that we have already passed in this Council.

THE CHAIR COMMENTS

Mr. Givens:

I have ten questions about this test.

THE CHAIR COMMENTS

Mr. Pellegrini:

Yes, the Civil Service Commission is an independent agency and they have the sole discretion as to the standards by which tests are going to be administered and the standards that they are going to use. They can discuss it here like as their philosophy, but I don't believe that Council has any jurisdiction to prescribe the types of tests that are going to be given.

Mr. Givens:

I am well aware of that.

Mr. Pellegrini:

Yes, Councilman Robinson asked me to make that statement.

THE CHAIR COMMENTS

MR. WAGNER COMMENTS

Mr. Pellegrini:

That pertains to all the departments where tests are given, where Civil Service is involved.

MR. WAGNER COMMENTS

Mr. Pellegrini:

Well, I know from the experience in my department we send up a list of job objectives that we want done and what we think that person, the duties that person has to perform. We don't see the test before it is administered. I have never seen a Clerk-Steno test which we may only have an investigators test or whatever and I am not asked to approve the questions. So what we are given, we say that we want someone that can perform the following functions and develop a test for that purpose. As far as I know, the departments don't see the test.

MR. WAGNER COMMENTS

Mr. Pellegrini:

I don't know and the question is, even if I saw the test, I wouldn't know, but I would hope that when you do testing, there are certain professional methods by which you make those selections. I think it's pretty easy on a typist when you want them to type 72 words a minute or whatever, that they grade, but I think on a police test, there are professionals that develop a criteria based on their evaluation of the job, what is a good test or not.

THE CHAIR COMMENTS

Mr. Givens:

I am sure that Jack Wagner and my questions will be along the same line and I am glad to see John Bingler who is

the Chairman of the Civil Service Commission and I was well aware of your legal status as to your separation of power and you have the freedom to exercise that power because every person that is hired, every person that is tested of the City of Pittsburgh must come through your commission. That is the skeleton and you put the meat on it and they give you the test and you are supposed to review this test to see if we are in fact getting the most qualified, not just in the police area, but in all skilled areas where testing is a requirement. That's why I have you here today, John, not to pick any bones with anybody. I think it's the concern of this Council and the fact that we held this bill a number of weeks that we have concern in certain areas and Council Bill 826 provides for payment that was reduced to $3,000.00 which I am glad to hear it and sometimes when you get a little interest into a particular thing, it surprised me how prices are going down, but I am glad Jim O'Malley brought that out to save the City taxpayers a couple of thousand dollars —

THE CHAIR COMMENTS

Mr. Givens:

The fact that they are not brought out in the bill itself, we know that we appropriate a certain amount of money and that money is there and available for that purpose. I would like to go back and look at other records to see if we only spent $3,000.00 to the same entity; but anyway for the proctors and the coordinators to administer the 1984 entry level police officers examination later this month, that money, I still feel some of it will be saved by the taxpayers. Qualified applicants are the most difficult and important positions, this is the key I think right here. Some of us on this Council elected by the same taxpayers are not certain that this apptitude test and I am talking specifically now about the police aptitude test is providing the kind of quality of a police candidate the people of Pittsburgh deserve and so I have asked the Civil Service Commission here today to explain to this Council before we authorize the payment of anymore money of the 1984 entry level police officers examination insured that the people of Pittsburgh will get the best candidate to wear out badges and our uniforms and many other areas also.

The Commission is not as directly responsible, the Commission is not directly responsible to the taxpayers as we on this Council are; so I think this is a line of questioning that is both informative and essential for the passing of this particular bill.

John, I have about ten questions only and I will try to be very brief and some of your answers I hope will be more lengthy but my question would be as you sit as many of us sit on many Boards and Authorities here ouselves and we have to review much of the multi-million dollars of money that goes through our fingers and ask questions and we are presented position papers and etc., what is the Commission looking for, what are you and what is your Commission as the Chairman, what are you looking for in a Police Officer candidate?

I have to appreciate that these questions are going to be hard, you are dealing with every skill within the City of Pittsburgh and you have to be very knowledgeable in those skills in order to perform your job and I think this question is in line with what are you looking for as the fact, you are the ones to direct that Department of Personnel and only you according to state law.

Mr. Bingler:

We look for candidates for all positions that are tested. For candidates that satisfy the requirements of the particular department head who is requesting us to submit a list of candidates; for example, I mean I may have some police background, but I don't presume to put myself in the position of the Police Chief in the City. I think that our staff can tell better than I can exactly how we go about trying to assess what it is that the department head, in this case the Police Chief, is looking for in police officer candidates; and after we make that assessment, we try to develop testing procedures that provide that sort of person across the board, whether it is fire, whether it is police and we try to adjust our testing procedures to improve the results that we achieve, the validation and years, for example, a fire test that had a whole lot of questions about how you fight fires and those questions were proposed to candidates for the Fire Department.

They really were designed to test more, how much you have learned already about fire fighting rather than what was your capability or capacity to be a good fire fighter if you were trained to be a good fire fighter.

Mr. Givens:

Well, how is that applied then to the hiring of police?

Mr. Bingler:

Well, I am just giving you an example of how we try to adjust our test. I would have to refer to the staff to let them tell you how they —

Mr. Givens:

I am going to have the staff, Melanie, if you might, these questions that I am asking the Commission which I am sure the Chairman does not have specific answers for, I will give to you in written letter and I would like for you to detail to this Council exactly how in the police examination of how you want to do this.

My second question then, John, is how this criteria incorporated into the aptitude test so that we in fact pick the candidates that match that profile? If we are looking for a police officer and you as the Chairman of the Civil Service Commission, it is your duty and responsibility to see that we are getting the best type of police officers.

Mr. Bingler:

Let me if I may just define the actions of the Civil Service Commission; our primary role is to act as an Appeals Board if you will from —

Mr. Givens:

No, we have an Appeals Board.

Mr. Bingler:

Yes, but we function as an Appeals Board, in a parallel sense; as an Appeals Board for employees who have been disciplined or found for example, we spent four hours yesterday in a hearing involving a residency matter; that is a Personnel Department that was created by the City Charter and we are kind of an adjunct of that Personnel Department; we look at and review tests that are presented to us by the Personnel Department. The Personnel Department, not the Civil Service Commission is primarily responsible for the development of the test that respond to the needs of the department; for that reason, although I am generally familiar just by diagnosis if you will with what

the Personnel Department does in developing its test, I know for example that there are studies of what the police officers do, their discussions with the Police Supervisors themselves in trying to figure out how we should develop, how the Personnel Department should develop the test. We look at the tests that are to be given, but frankly, I am not an expert in most of the areas with regard to what the tests are on.

We look at the tests and try to bring a layman's qualifications to looking at a test; I mean are a numbers in the right order, is there something stupid about the test on the questions; we really are not expert enough, none of us, as Commissioners are expert in any of the areas that we are testing for.

Mr. Givens:

Then the question I could lead into and being that the Commission is the ultimate authority —

Mr. Bingler:

Well, I think you would have to ask Dante that.

Mr. Givens:

Well, that's the way Dante explained that to us.

Mr. Bingler:

Well, I am not sure of that, given the current structure and the City Charter, there used to be a Civil Service Commission that had a lot of responsibilities and I think the Personnel Department sort of functioned under the Civil Service Commission. The Charter changed that and there is now a Personnel Department, we function kind of as an adjunct to the Personnel Department, our principal function being hearing appeals and essentially grievance type of cases.

Mr. Givens:

So, you really don't get into the nuts and bolts of that —

Mr. Bingler:

Well, we can't.

Mr. Givens:

Pardon me.

Mr. Bingler:

We can't, we review the test, but our staff and the Personnel Department staff by and large develops the test, dialogues it to people that needed to be talked to that develop the test and presents the test essentially as a finished product to the three Commissioners and then lacking the expertise to do anything more than look at the test as a layman would look at it, we make some effort to assess the test; we do not have the expertise that our staff has to do that.

Mr. Givens:

Okay, I appreciate that. If I don't have the expertise on any subject and I wanted someone to brief me on it, have you ever called before your Civil Service Commission any expertise like the Inspector, Superintendent of Police? Have you ever called anyone from any of the major universities that have Criminology, Sociology, Psychology —

Mr. Bingler:

Before the Commission?

Mr. Givens:

Before the Commission to review

some of these tests that are being administered?

Mr. Bingler:

Not since I have been on the Commission.

Mr. Givens:

And how long have you been on the Commission?

Mr. Bingler:

Since 1978, I think.

Mr. Givens:

Since 1978?

Mr. Bingler:

Yes.

Mr. Givens:

Then my next question would be then, have we refined the test in the lst few years and why and does the Commission know if the changes have lead to a better quality police candidate? And these since 1978, have we been giving the same test, have we changed that test, are we slanting it one way or are we slanting it another way?

Mr. Bingler:

The tests are reviewed —

Mr. Givens:

I know you are not going to give the same test year after year because I assume the answers are out there and you are going to change the wording around, you can take 10,000 questions on an aptitude and go from there and just ask different questions, but obtaining the same type of answer?

Mr. Bingler:

We have as I said looked at each of the new test that has come before us to try to bring a layman's qualifications to looking at the test; each time there is a new test, the test is reviewed, the staff develops the test since it's over again; for example, as I understand it, this time we are proposing to look at whether or not we ought to adopt a physical performance test for police candidates in addition to the written test as we did with the Fire Department.

That kind of development is a major developmetn that would end up being addressed to the Commission.

Mr. Givens:

Did you suggest that or did the staff suggest that to you?

Mr. Bingler:

The staff suggested it to us.

MR. O'MALLEY COMMENTS

Mr. Givens:

Will the Commission make available to any member of Council a copy of the test?

Mr. Bingler:

No.

Mr. Givens:

This question has been asked before and the answer to that is no. Then how are we or anyone able to determine that the test truely provides for the desired result if we in fact on Council appropriate the money and the

only body in this government to appropriate the money for every worker of the City of Pittsburgh, then how are we or anyone else can tell that this particular department which I thought would be an umbrella and acting like a Chairman of the Board, sort of speak, and being able to really institute new ideas and new philosophy of employment as our industries are changing very dramatically out there, we have to have very dramatic changes within our working force along with that of the police officer itself, but we cannot — this Council is appropriating someone on every other bill that comes up here we can ask any question that we want to, but when it comes down to an examination for some reason or another, this Council is denied, not prior to, but even pass examinations that have been given and Melanie was shaking her head later on when I said you can have 10,000 questions and pull any of them out and Jack Wagner asked the question, can he review some of these past examinations and the answer to that was no; that indicates to me and I am sure Jack and others on this Council, if we were to just look at this particular type of thing and we do in this Council have certain expertise of many skills and I don't have to go into those particular skills, but I think some of those Council people can pick up that test and look at it and say if it's going one way or the other way, and might have some good suggestions, because we are the ones that have to answer to the public. I don't know if everyone out there knows that John Bingler is the Chairman of the Civil Service Commission, but they sure know Ben Woods, Bob Stone, and Steve Grabowski, Michelle Madoff, Jack Wagner, Jim O'Malley, Bill Robinson and Dick Givens and Sophie is not here today, they sure know us John and we are the ones that are hit out there right on top of the head, I mean we are pinned against the wall with people saying how the reaction of what's happening in our police department out there; that's why I am here today, and that's why I am asking these questions and I think we have to get some answers to them and I think someway along the line, that the Chairman of the Public Safety Committee as well as te President of this Council has a right to go in and to be looking at this testing criteria; and if we can't do this on a gentleman's type fashion, then maybe the Civil Service rules and regulations from the Personnel Department of the City of Pittsburgh be it take state rules to change it or take local rules to change it, it must be changed so that some of us within this Council have some type of input, not surely to get the questions ahead of time and hand them out to our friends, that's the obvious overtune of one saying that you can't see the test and then my question here is who in the Police Department sees this examination before it is administered?

Mr. Bingler:

No one that I know of.

Mr. Givens:

No one in the Police Department sees the examination that is given, not even the Superintendent of Police?

Mr. Bingler:

No, the basis for those rules and frankly we'll yield to any legal advice from the Solicitors Office that might tell us that these tests, particularly the past test, ought to be made available to Council. If the Solicitor says that that is a legal requirement that we have to do, we will be happy to do it. The reason we don't give out the test —

Mr. Givens:

I am not saying give it out, I had a specific question and had to say that if you are giving a test to a plumber, if you are giving a test to an electrician, if you are giving a test to a carpenter, don't you bring in a carpenter, sheet metal worker or somebody in to look at this test to see if you guys are even on target.

Director Smith:

Maybe it would help to know how the test is constructed; it's absolutely required by the testing guidelines that we do a very comprehensive job analysis and that includes —

Mr. Givens:

You have police officers on your Civil Service Commission?

Director Smith:

Not on the Commission.

Mr. Givens:

Do you have them in your Civil Service Department?

Director Smith:

If I can describe the process, Mr. Givens, the job analysis requires that we get considerable input, like all the basic information comes from the Superintendent, Supervisors he designates within the Department, the encumbents of the job themselves, plus research that we are required to do in terms of what is available, what is typical for police work, there is an exhausted study done and it is constantly re-analyzed when we go from test to test over a period of years.

Mr. Givens:

So you are working with the Superintendent of Police?

Director Smith:

Technically those are called subject matter experts; those are the people who hold the job, know the job and are very familiar with what you do on the job and what it takes to be able to perform those duites and responsibilities.

Mr. Givens:

But they don't write up the test itself?

Director Smith:

They recommend material to us, they recommend material, they recommend books and resources, they may help us construct events for performance examinations but they are not told what the final questions are, where they came from or what the final questions are, where they came from or what the final events are until the test is administered, but they have had considerable input on how the construction —

Mr. Givens:

How is this Council and the Superintendent of Police know that you. are doing the right thing then?

Director Smith:

Well, in testing that is a function of the validation of the test after a statistically significant number of people have been hired and on the job then, with our consultants, we go back and look at their performance as rated by the Police Department in the Academy, their performance on the job as rated by the

Police Supervisor adn then we make a statistical correlation as to whether or not the test we gave was predictive that people would do well and our test have been validated, they have significant validation and they are very good predictors of people who will make successful police officers.

Mr. Givens:

I am very interested in that word validation. Until the word validation came up, we didn't seem to have much of a problem in the Police Department; when you start validating it seems like that's when all the people started beating my head against hte wall, something must be associated with validation, that's why I am seriously concerned about who is looking and who is administering this test and if you are the final decision I think it may be best that the Mayor might look into the Civil Service Commission and be having someone in the Police Department who knows what a good police officer and what it takes to make good police officer be the person helping out on this test and if you want to lock them up in the County Jail from the time he knows all the questions and answers or send him off to Hawaii on a vacation where he can't see nobody, then fine and dandy, but I think there are people that as all of us are sworn to loyalty to n ot divulge as your people are, you are not the sacred cow down there because you are the only one that knows the answers; it's not to say there is somebody or could be somebody from any department that could slip information out to anvone taking a test saying this is what the test is all about, which leads into my next question.

Mr. Bingler:

May I respond to that? The validation process is exactly how the Superintendent does have the final say and the Police Supervisors do have the final say as to whether or not the tests are satisfactory because if it turns out that the candidates that we present to them on the basis of these tests, score very badly when they are reviewed in the Police Academy and their performance after they are police officers, then that test has to be changed because the Superintendent is the one who says the people that you are presenting to us through this test that were supposed to pass this test are terrible and we have to change the test. If that happens, because the Superintendent or the Supervisor of Police have something to say about the police officers' performance.

Mr. Givens:

In administering the test, can you provide Council with booklet, explaining the skills and the intelligent levels that the test is designed to reveal?

Mr. Bingler:

I am going to defer on that question.

Director Smith:

I am not sure what you are asking.

Mr. Givens:

Let me define that a little bit. Are there booklets or preparatory material readily available to any candidate who wishes to obtain them and how is this information relayed to the police applicant?

THE CHAIR COMMENTS

Mr. Givens:

Courses, material, pamphlets, booklets and how this information then

relayed to the applicants prior to the examinations?

Director Smith:

For the entry level police fficer examination there really is nothing that a person can study or a book they would read that would in any way effect their performance on the examination. Entry level examinations cannot be based on knowledge of a job one does not hold; it has to be based on their ability to learn what they need to learn and become satisfactory performing the duties they are assigned to perform; so we advise candidates, in fact, we get this question frequently, isn't there something I can study, isn't there a class I can take? We encourage them to go to the bookstore and by test on how to take test, how to prepare to take them; sleep the night before, rest, don't get nervous, practice, read to improve your vocabulary, but there are no job knowledges that are tested on the entry level examination.

Mr. Givens:

Well, ladies and gentlemen of this Council, I think therein lies probably the biggest thing that I think is missing from the Police Aptitude Examination and that is the attitude of the person that wants to become a police officer; for example, if I want to be a plumber, then I study plumbing. If I want to be a police officer then I study criminology or other related skills of handling people and etc., yet this is an aptitude test that is given just general, anyone can take it and if you have a high score, you have a highscore, but where is the desire for someone through brother, father, uncle, sister, who would want to be a police officer and always had the desire to be a police officer and always have studied police procedures, police tactics and everythign else, and I know this is done at the academy once the person is put in there, but I mean in a stringing process, we have over 3,000 and last year we had over 5,000 applicants and I want a police officer and I tell you right now and maybe you get an input from this Councilman, I want a police officer that wants to be a police officer, number one; and number two, that he has some preparatory skills before he ever gets to the stage of even wanting to take a test, because in that test someplace there should be some questions asked about general police procedures ones that are not very technical, but ones that do not change or have changed over a lifetime using common law as our common practice.

If people don't know these common things, if they don't desire to want to be a policeman but go down there and take a test and score a high test, then I tell you what I am hearing from the other side is that these people don't have the attitude of a good police officer, they might have an aptitude but hey don't have the attitude and to be an aggressive police officer and have a desire and i think there Melanie there is someplace that I can advise you where I think I could advise as an individual that this test might be slanted in some type of a way where you can bring out the attitude of a police officer and some of the things that he does nin the performance of his job while you give this aptitude test. You can give that aptitude test, you can get his attitude. because you can ask police questions and if he can answer those he might have some prior knowledge that will make him score higher in a particular test than someone that has never even looked or never even desired to be a police officer, but there is a job coming up and that's why we have 5,000 applicants running down there to get a job because if I have an A, B average in school, I have a good possibility of being a good police officer, but you must ask yourself the question,

does that then make the best police officer within the City of Pittsburgh? And I have to ask myself that question and I am sure you and everyone including Lt. McNamara who has to deal with these people who are sent through the academy, etc.

Director Smith:

If I could respond t that, because I think that's a critical point?

Mr. Givens:

Well, one point I would like to get out is you give nothing, you come here and be an A student and you get a high score.

Director Smith:

Well, I think that's the point that needs to be responded to; if the police officer entry test, if I could draw an analogy is very much like the preapprenticeship test that all the unions use to accept people into an apprenticeship program and the City has for years long, long before any of us have been working for hte City hired it's police and fire on these repeat; we don't want to require four years prior experience for a police officer somewhere else, we would screen out an enormous number of people who have the ability to over a three or four year period to become very good police officers.

If Council is suggesting that we should not longer do tha, that we should hire people who are already fourth year police officers, those who completed the apprenticeship program are jouney level jpolice officers, that's a whole different ballgame, but the City doesn't do tha. The City offers the job to everyone who is interested and has the ability to pass the test, they then go through a ltraining program and their salary increases over a four year period as they are in fact moving through on the job training. Apprenticeship if you will, I the analogy is very appropriate. For us to be hiring people who are already trained skilled police officers means that our requirements would be you must hve had four years prior experience as a police officer, you must have the knowledge that is commensurate with that and we are then hiring journey level police officers rather than entry level police officers and that's the difference in the test.

Mr. Givens:

Just one question if you will because I don't want to break my train of thought.

THE CHAIR COMMENTS

Director Smith:

This particular form of examination has been used since early 1970 ad in the '50's and '60's and we would be happy to give you a copy of that examination, it's no longer used, it was a list of 100 questions about current events, what was the longest strike in the steel industry with a choice of four different time periods; again, it was not related to prior knowledge of police work.

Mr. Givens:

Ben, you were hitting on my next question and that is, can the Commission explain to Council the breakdown and categories of questions on the examination, i.e. the mathematicals and the rational, the reading comprehension and the rationale of common practical knowledge and rationale, the number of total questions and again I was asking the same question there, do you put and you

already answered that, do you put any questions of aptitude in here that relate to the skills of the police officers responsibility in the field?

Director Smith:

It's a little bit difficult to simply answer that yes or no; no prior police knowledge is required, but the information, the material in the examination book has to be comprehended and it is police related information; so that a person isn't coming in and answering questions about plumbing or electricity there is an apparent job relatedness to the information in the examination, it is very definitely police officers information tha we are testing them about and requiring them to work with an manipulate that information on the examination.

Mr. Givens:

Well, you didn't answer my question for example, in the last couple of years, have you changed the formula and the various four different categories of knowledge tha I have given here, be it mathematical, reading and comprehension, practical knowledge, nature of these things?

Director Smith:

The labels that you are using, Mr. Givens, wouldn't be appropriate to the content of the examination. That's why it's difficult to answer yes or no. We don't have sections in the test that relate to those lables.

Mr. Givens:

You are giving a general aptitude test and it doesn't have any of that in it?

Director Smith:

No, I wouldn't describe it as a general aptitude test, it's a test of a person's aptitude to perform certain kinds of things that police have to perform on the job, but it doesn't require them to have prior knowledge of the laws of the Pennsylvania Code, or something of that nature; the information they are asked to work with that is police information is provided to them right in the examination booklet.

Mr. Givens:

Again, I guess if you are an A student, you can come in and do this; and I have problems with that and that has to be discussed at some later date.

Another question along this same line, what are the categories of questions that you then, the categories of questions?

Director Smith:

I don't believe we can answer that question; that's discussing the content of the examination.

Mr. Givens:

Is it because you don't know, pardon me?

Director Smith:

No, it isn't because we don't know what's in the test, it's because people who are watching cable or listening to this would have information about the examination that other candidates don't have.

Mr. Givens:

John, does the Commission understand Council's rightful concern for

the quality of our police candidates and the related testing?

Mr. Bingler:

Certainly.

Mr. Givens:

Then I feel it's encumbent upon your Commission and from what Dante indicated, your powers are and from what I assume those powers were that you acted like a Board and can change the direction of the Personnel system. Do you approve the final test?

Mr. Bingler:

Yes we do.

Mr. Givens:

You do approve the final test?

Mr. Bingler:

We say yes to our final test, the test is developed by our staff and we look at it and say yes, but I must confess that we are neither testing experts, the three of us, nor are we police officers, fire fighters or any of the other kinds of things that we test people for; so I have looked at some of the promotional examines and I don't have the vaguest idea what the question is or isn't.

Mr. Givens:

Is there then anything, and Dante, I might ask the question, for theCommission in closed session to call the Superintendent of Police, some of his key people from the academy and other people to sit down and go over when the Director of Personnel comes up with the final lines of questions of the category of questions, if there anything progibited that, if the Commission so desires to bring in the experts, the people who perform these duties and would there be any violation of the law if they would so do that?

Mr. Pellegrini:

Well, first of all, I think the input is done on the front end of the test before even prepared, the input of the Superintendent —

Mr. Givens:

I appreciate that but you know, the —

Mr. Pellegrini:

The answer to that question is unless it's progibited by the act —

Mr. Givens:

It's not prohibited by the act.

Mr. Pellegrini:

Unless, and I don't have to look at the act and I don't really know.

Mr. Givens:

They have the latitude.

Mr. Pellegrini:

They have the latitude, but he answer would also go to the integrity of the test and the more people that see that test the less credibility that test would have.

Mr. Givens:

We are talking about people that have sworn an oath of office and I have seen your members of the Police Department, both in rank and experience, and I would highly

recommend to the Commission that in some way, shape or form, if you don't have the expertise yourself, when you go over this test to see if in fact the Director of Personnel is coming up with the type of questions that the police officers who must administer the law out there are challenging these questions in a proper frame work and that you are sure that they are satisfied; I think as a Commiissioner I would surely have them in and I wouldn't be too concerned about them running back and telling Pete and Harry that I know all the questions on the particular examination because they know in fact their own jobs would be in jeopardy and the caliber of people that we have I am sure would not do that type of thing as I am sure the caliber of people that make up this test and the Director of Personnel's office would not do that type of thing.

Mr. Bingler:

Let me respond to this in this way. I know many of the senior police officials and I have great confidence in their integrity and I am sure that they would not disclose tests that they have prepared if they promised that they wouldn't; however, the people that take this test and all of our tests are extremely suspicious people. This test is a very important event and all of these particularly promotional tests are extremely important events in the lives of the people that take the test.

We are in spite of a tremendous history in Pittsburgh of no leaks of test; always bombarded with the expressed suspicions of people about whether or not the tests were leaked. My primary interest is making sure that the appearance of no leaks is so high I consider it a very important thing that we minimize the number of people that we disclose the test to particularly people that the candidates taking the test might suspect might have amotive for disclosing the test; for example, if you are a police officer or you are a fire fighter you probably have the tendency to want your children if you like the job to be police officers or fire fighters and the suspicion of people taking the test might be that you would have a motive somewhere to make sure to advantage your relatives, your children and so on and that's the suspicion that I am concerned about in terms of disclosing the test to people in the department that we are testing candidates for.

Mr. Givens:

Well, John, I would like to stop right here if we could on that; that would be in my particular thing questioning the integrity of all the directors of the departments of the City of Pittsburgh; and I think that a Director —

Mr. Bingler:

I don't question the integrity but a lot of people who take the test do.

Mr. Givens:

Well, we are requesting this test and I submit to you that if I were in your position as all of us sit on Boards and Authorities and etc., and we ask pertinent questions as we do in this Council, I mean, my ears are being beat off out there and I have to ask these questions, why does it appear for whatever reason the change of society, I don't know what's happening out there as well as maybe somebody on the inside, the police officers themselves, but I would venture the City that we bring the police officers that have the responsibility of operations and control of the force as to what some of our problems are out here to this table in a closed session, they might be able to give us some startling examples and I have

had examples given to me that have been startling and I don't want to get into that right now, but I think you should start as a Commissioner going over and talking to these Inspectors of the various plice stations, the Lieutenants that are out there and the Sergeants that are on the job, and just get an overview of the type of candidates that are not these tests are validated or not validated, I mean are they truly good candidates and if not, what are some of the examples, and from that from your homework and you then direct to the Personnel Department can find out what are some of the safety requirements for the police candidates, what is their general idea of safety?

Safety goes into the water and everything else, but I mean some critical areas where people can be hurt or killed I think is an area that we must get intoj much deeply and I am not trying to criticize anybodv here, I am trying to get food for thought where there is no stone unturned in the process of trying to come up with the best of candidates and I am not hearing that and that is the result of what I am doing.

Mr. Bingler:

Let me respond to that by saying that I have talked with the Superintendent and other police officials about the candidates that are being presented and I have not vet heard complaints directed at the testing process; I have heard complaints directed at other matters involving —

THE CHAIR COMMENTS

Mr. Givens:

yes, I just have two more questions and I will be finished. You eluded a little bit on the Fire Department test, but has the Commission ever discussed the possibility of instituting a strength and ability test as part of the police hiring process?

Mr. Bingler:

Yes, we are in the process of I believe developing such a —

Director Smith:

We are doing a job analysis research.

Mr. Givens:

Why was this idea never instituted before? We have had it in the Fire Department for a number of years, why have we not had it in the Police Department?

Director Smith:

I can only answer that for recent history, but for the long term history there has never been a performance test for police officer, at least not that I have been able to find any record of in the files; it was not part of the hiring procedure that was agreed to in the Court Order and I think if our research shows that it is a critical enough aspect at the entry level that it should be administered, we probably still need with the Law Department to go back to the court because we are under a court order hiring system now.

Mr. Givens:

Then we are not going to have any type of agility or strength in this particular class coming up?

Director Smith:

We don't know that at this point.

Mr. Givens:

You don't know that?

Director Smith:

No, we are only doing the research right now and we have sent out questionaires to police officers and Supervisors to be filled out to try to capture information about the kinds of physical things they do on the job, how critical they are, how often they perform them and when we analyze that information then we will have a much better sense of whether or not it's appropriate at the entry level to use that as part of the screening.

Mr. Givens:

John, would you say that a police officer needs some type of strength and agility pursuant to his job?

Mr. Bingler:

Do you mean as a layman or as a former Safety Director?

Mr. Givens:

As a former Safety Director.

Mr. Bingler:

Yes, I would say so.

Mr. Givens:

And I would suggest very strongly to the Director of Personnel that we get some type of strength and agility test to make sure that the candidates and I think herein lies a considerable portion of the problems we are having with our new candidates we have been bringing forward; they pass a test, the aptitude test, they pass the psychological test, but they can't run, they can't pursue and a police officer must pursue be it vehicle or on the street, they must subdue a person physically, sometimes many pounds over their weight and the type of training that we give these people must be the kind if we are higing people that do not have the strength that normal police officers in the past use to have 6 feet tall, 210 pounds, the type that can handle themselves in any type of situation.

The compensation cases come out of things of this nature, if a person does not hav that ability of strength, agility and ability to defend themselves and apprehend and to control another person's physical strength that it ends up in a compensation case where the pjolice officer themselves are being hurt.

Herein I think lies a good percentage of some of our problems that we are having and I strongly suggest that you keep this Council informed as to the progress on this and I would like to have a bi-weekly report if you might note that as to how this is proceeding and what this Council would do to assure that this is going to be done on this particular police examination. If you have any problems with money, I am sure this Council will appropriate the necessary money for you to do that; it's a very strong process.

John, do we have an appeals process for candidtes who fail the aptitude test? I mean, I had a bad day, I come in and I failed the aptitude test, so I was told that I didn't have a passing mark or I felt that I had a mark higher than what it should have been or like they said in Florida, they had pencils that didn't mark the scores in very good and as a result all of the students were below par because the pencils didn't mark the block. Is there any appeals process on the aptitude testing?

Mr. Bingler:

Yes, if the candidate for some reason feels that he was unfairly tested or inadequately tested or improperly graded, he can appeal to the Commission.

Mr. Givens:

Is that test then ever brought forward the test that he had taken where he felt that he marked the answers right and it was marked wrong or is a multiple choice where you just have to pencil in the answer?

Director Smith:

Yes, it's that sort of test.

Mr. Givens:

Maybe they had the thing off or maybe the grader themselves might, because I have graded many of those tests and when you thing you have it all lined up the way you should and you find out as you do along, you didn't have it quite lined up and you have to jiggle those things around until you get absolutely right on the old marker. Is this done by individuals or is this done by a machine?

Director Smith:

By both, normally it is computered scored first and then it's double checked. The Commission has had appeals from candidates saying that you told me I got a score of XYZ, but I am sure I had X number right, the Commission has rescored those papers and candidates have come in and had hearing with the Commission, they looked at the scoring and counted up the number —

Mr. Givens:

Were they able to see what the right answers were?

Director Smith:

No, yes as far as the answer sheet goes.

Mr. Givens:

It would have to be marked X —

Director Smith:

Right, that they had it under the letter A instead of the letter B.

Mr. Givens:

Were they ever informed of the type of questions that they missed or they might know a weak area?

Director Smith:

No, the police statute is very specific and it depleats the Civil Service statute, it provides a review for candidates on a promotional examine which means they come in and they get their answer sheet and a copy of the booklet and they get to sit down and see what they did right and wrong and appeal to the Commission and to actually argue specific questions, but that right is not provided under the statute to the entry level examine.

Mr. Givens:

Do we have an appeal for candidates that fail the medical examination?

Mr. Bingler:

Yes.

Mr. Givens:

Do we have an appeal for people who fail the psychological test, you knew that question was coming? And I asked that I think almost nine, ten months ago and I asked you, Melanie, to take specific actions to see if we could in fact have that type of an appeal?

THE CHAIR COMMENTS

Mr. Givens:

This is ongoing Ben.

THE CHAIR COMMENTS

Mr. Givens:

I hate to call you up again, Joh and Michelle, I hate to call you out again, but I think you have to be knowledgeable of what the concerns of Councils are; next week I will be untabling the legislation on the appeals process for psychological training and Michelle if you could and Melanie —

Mr. Perry, before we get off this particular question, would you please tell the Civil Service Commission to be here next week to deal with the Psychological Testing and that of the ability to be retested.

Thank you very much, Mr. Chairman.

(END - MR. GIVENS' REMARKS ON BILL NO. 826 - WEDNESDAY, 6/13/84)

Mr. Robinson:

Mr. President, on Council Bill 826, I think that it's imperative that we move forward to hire the police officers that are so sorely needed in this City and certainly Council Bill 826 provides for their ultimate hiring. I recognize that there are those who perhaps feel that there are morale problems within our Police Department or perhaps there are other related concerns. I think we have to be careful that we not appear to be like Chicken Little claiming the sky is falling. I would hope that all of us who are truly concerned about quality police officers in this City would concentrate on finding and identifying procedures that are fair, reliable, and that reinforce the notion that police service is honorable service. I don't believe that the resolution of police problems, be they morale or personnel, can be addressed adequately by this Council without full consideration of the very important and delicate nature of police work. I think we also cannot fail to realize that there are certain restrictions that have been placed on the City of Pittsburgh that are above and beyond perhaps the concerns of this Council or even the wishes of this Council and I think at all times we have to respect those restraints, particularly when they are imposed by a court of law and in this instance a Federal court of law.

I think also that the issue of whether or not we have adequate police officers is one that this Council certainly needs to try and resolve. I think it would be instructive for this Council and the Mayor to sit down and discuss this openly and honestly and to arrive at an agreeable figure and an agreeable size for our force. There is an alternative that we have perhaps not fully explored and I hope to have some time to talk to Councilman Woods about this at a later date.

Our Housing Authority employs approximately 35 police officers who work in conjunction with our City of Pittsburgh Police. I think we ought to explore with the Public Housing Authority integrating their police

officers into our police force; I think that it will strengthen our service to the people of the City of Pittsburgh, many of whom live in public housing, and I think it also will begin to address the issue of adequate police protection, particularly in those communities that need it most.

I do hope that members of Council will take into consideration that this whole issue of recruiting and selecting police officers is a very delicate and sensitive issue but it is a very emotional issue in many communities and for us to do anything other than support our police to encourage them to continue to serve is not going to be in the best interest of the City of Pittsburgh. Morale problems are the province of the appropriate supervisors in the Police Department and ultimately the responsibility of the Superintendent of Police. I don't think we ought to give him any problems that he doesn't already have, real or imagined, and I don't think that any of us should engage in our own personal research projects that sort of suggest that there is discontent. Certainly there is discontent in the Police Department. There's also probably discontent in the Public Works Department. There's probably discontent out at the Zoo. So, I don't think that's any reason for Council to launch a major investigation. I don't think in any way we should undermine the effectiveness of our Police force by assuming, by assuming, that the problems related to morale or personnel or interpersonal conflicts cannot be resolved within the Police Department. I believe that our Superintendent and his staff are capable of handling any internal morale problems and that all this Council and the Mayor has to do is indicate that we are supportive of our Police Officers in their attempts to enforce the law. That is their job and we ought to support them 100 percent and I certainly stand behind them. Thank you.

The Chair:

I would be less than fair if I didn't mention this. Relative to the South Side of the City of Pittsburgh and its fire situation and police protection —

Michelle Madoff:

Don't you think we should wait until after the bills have been heard since I was ruled out of order?

The Chair:

No, I'm just trying to correct something here, Michelle. It's not taking anyone to task. Those police have really been doing a good job in the fire and I would not, at any time, like there to be any blemish on it. That's what's making it most frustrating; they are doing an excellent job and regretfully have not been able to find the arsonist. But I'd just like to mention that remark because we had the opportunity to discuss it at the South Side and I think all of them totally support the Police and Fire efforts at this time.

Michelle Madoff:

On the same subject, I couldn't agree with you more. The Fire Superintendent over at that particular station has met with me and others at the bank in the South Side and we started a fund because we think that perhaps greed would be the way that somebody might possible report. You know, people don't want to get involved but if there was enough money, there is a reward fund. We took the money that was in the fund and I'm not sure how much it was, I think it was about $1,000, and at the determination of the priest of the community gave the money to the family of the young child who was molested for burial services because we found out that there is a fund committed by the State

of Pennsylvania for a reward leading to information and conviction on arsonists. However, that fund is not advertised and I think it would be very important, perhaps, if Mr. O'Malley, the head of our Safety Committee, could find out where that fund is, get some posters made, and get that all over the community, get it in the newspapers which I'm sure would be very happy to help.

But I agree with you that the question here, it is not that we don't have the best police going. It is that they are in danger because they don't have enough back-up police and we need more police. That's the issue.

The Chair:

Call the roll.

Mr. Givens:

I vote no on Bill 826 and my one comment there is that we build bridges, we build roads, we build airplanes, and we have consumer advocates and all this is intended for one thing and that is the safety of our people. I plead to this Council and to the present Administration and to the Police Department that if we do all this for the people and their safety, why then is the security of our people through our own Police Department something that we should turn our heads on. I don't think we can do that. We must come up with the best force possible to secure our people and safety is the bottom line and I don't care where the people come from but it's our safety that's involved and for that reason we must move forward very quickly on this particular thing or we, the City of Pittsburgh and this Council, are subject to suits and we've had some million dollar lawsuits that have come before us in recent years and I would suspect that if we don't do something very quickly in this Council that those lawsuits will be even larger and the money that we're going to spend in the long run can be spent if we get a force that's going to respond to the security needs of the people of the City of Pittsburgh first, last and always.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES 1

(MR. GIVENS VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 866

A Resolution entitled, "Resolution. providing for the issuance of a warrant in favor of Domenic Parente Contractors, Inc., in the amount of One Hundred Thirty Nine Thousand Five Hundred Sixty Dollars and Sixty-Six Cents ($139,560.66) in payment for the emergency reconstruction of the Torley Street Sewer from Cullen Street to Pearl Street, and other work incidental thereto; and providing for the payment thereof."

Which was read.

Also,

Bill No. 878

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Richard F. Fontana, in the amount of $500.00 for consulting and research services rendered to Michelle Madoff, without previous authority of law, and providing for the payment of the cost thereof." **—(SPONSORED BY MICHELLE MADOFF)**

Which was read.

Michelle Madoff:

That was my own money.

Also,

Bill No. 889

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Noralco Corporation (Norm Hoffman, Vice President) in the amount of $135,855.45 in payment for an Emergency Contract in connection with the Removal of the McFadden Street Footbridge over East Ohio Street; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 934

Report of the Committee on Public Works for June 13, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommmendation,

Bill No. 841

A Resolution entitled, "Resolution granting unto Stop & Go Food Stores, their administrators and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a sign and post in portion of the right-of-way behind the sidewalk at the intersection of Nobles Road, and Saw Mill Run Boulevard in the 29th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 842

A Resolution entitled, "Resolution vacating a portion of a 15 foot Unnamed Way (between Los Angeles Avenue and

Vodeli Street) from its southerly terminus to the lot line (as projected) between Lot No. 94 and Lot No. 95 in the Lonergan Plan of Lots, recorded in County Plan Book, Volume 23, Pages 10 and 11, in the 19th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

Bill No. 935

Report of the Committee on Parks and Recreation for June 13, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 843

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Kingsley House Association for professional services in connection with their 1984 Dance Program and providing for the payment of the cost thereof in an amount not to exceed $2,000.00, and transferring the sum of $2,000.00 from Code Account 10, Accounts Payable Prior Years, to Code Account S.P.P. (Special Parks Programs Trust Fund)."
—(SPONSORED BY MRS. MASLOFF)

Which was read.

Also,

Bill No. 844

A Resolution entitled, "Resolution authorizing the Director of the Department of Parks and Recreation to implement a Children's Fingerprint Identification Program, and providing for the payment of the cost thereof, in an amount not to exceed $3,000.00, and transferring the sum of $3,000.00 from Code Account 10, Accounts Payable Prior Years, to Code Account S.P.P. (Special Parks Programs Trust Fund)."
—(SPONSORED BY MRS. MASLOFF)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Wagner presented

Bill No. 936

Report of the Committee on Engineering and Construction for June 13, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 708

A Resolution entitled, "Resolution providing for a Contract or Contracts and/or the use of existing Contracts in connection with Renovations to Present Heating/Ventilating/Air Conditioning Systems at Number Two Police Station, Centre Avenue and Devilliers Street, Pittsburgh and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 855

A Resolution entitled, "Resolution further amending Resolution No. 318, approved April 18, 1980, effective April 25, 1980, as amended by Resolution No. 710, approved August 1, 1980, effective August 8, 1980, as amended by Resolution No. 780, approved July 30, 1982, effective August 12, 1982, as amended by Resolution No. 891, approved August 26, 1982, effective September 1, 1982, entitled, 'A Resolution providing for a Contract or Contracts for demolition and replacement of Radcliffe Street Bridge and related street improvements, including as may be necessary the entrance on to private property for corrective work, slope easements, the grading of driveways and other work incidental thereto; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of costs thereof,' by decreasing the total project allocation by One Hundred Thirty One Thousand Eight Hundred Twenty Nine Dollars and Seventy Nine Cents ($131,829.79)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of

Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Givens presents

Bill No. 937 WHEREAS, David L. Lawrence as Mayor of the City of Pittsburgh united the diverse economic, ethnic, and religious segments of Pittsburgh's communities; and

WHEREAS, David L. Lawrence's foresight and leadership were instrumental in the launching of Pittsburgh's first Renaissance; and

WHEREAS, David L. Lawrence, the "People's Politician," instilled Pittsburghers with pride in their city.

NOW THEREFORE,

LET IT BE RESOLVED, to commemorate this man's initiative and drive by honoring his memory this June 18, 1984 which would have been his 95th birthday.

Mr. Givens moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Robinson presents

Bill No. 938 DESIGNATING the Stanley Theatre facility located at 201 Seventh Street and the Heinz Hall facility located at 201 Sixth Street as "Not-for-Profit Performing Arts Facilities" in accord with Section 993.01(a)A34(e) of the Pittsburgh Code, Title Nine, Zoning.

WHEREAS, the Pittsburgh Trust for Cultural Resources, a non-profit Pennsylvania Corporation, has committed to lease from the Auditorium Authority of Pittsburgh and Allegheny County and manage the Stanley Theatre facility as a "Not-for-Profit Performing Arts Facility" for a period of at least forty years; and

WHEREAS, the Pittsburgh Symphony Society has committed to continue to operate the Heinz Hall facility as a "Not-for-Profit Performing Arts Facility" at their regular meeting of 21 February 1984; and

WHEREAS, a Resolution numbered 230 was enacted by the Council of the City of Pittsburgh on 19 March 1984 and approved by the Mayor 22 March 1984 authorizing a Conditional Use Exception under Section 993.01(a)A34 of the City Code, transferring certain development rights among the Pittsburgh Symphonv Society, the Penn-Liberty Holding Company and the Auditorium Authority of Pittsburgh and Allegheny County; and

WHEREAS, said Conditional Use authorization was conditioned upon the designation by the Council of the City of Pittsburgh of both facilities as "Not-for-Profit Performing Arts Facilities".

THEREFORE, the Council of the City of Pittsburgh herewith designates the Stanley Theatre fully described in. Exhibit A and Heinz Hall fully described in Exhibit B and C as "Not-for-Profit Performing Arts Facilities".

Mr. Robinson moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

EXHIBIT A

(Stanley Theatre Parcel)

All that certain lot or parcel of land situate in the Second Ward, City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, being bounded and described as follows:

BEGINNING at the intersection of the easterly side of Seventh Street, 60 feet wide, and the southerly side of Penn Avenue, 60 feet wide; thence from said point of beginning along the southerly side of Penn Avenue N 71° 01' 41" E a distance of 240.24 feet to a point on the westerly side of Eighth Street, 20 feet wide; thence along the westerly side of Eighth Street S 18° 55' 20" E a distance of 240.09 feet to a point on the northerly side of Liberty Avenue, 80 feet wide; thence along the northerly side of Liberty Avenue S 71° 01' 41" W a distance of 60.06 feet to the center line of a party wall on the easterly line of lands now or formerly of Stanley Company of America; thence along the easterly line of lands now or formerly of Stanley Company of America, said line being parallel with and 60.06 feet perpendicular from the westerly side of Eighth Street, N 18° 55' 20" W a distance of 89.94 feet to a point; thence along the northerly line of lands now or formerly of Stanley Company of America, said line being the center line of a 10-foot private alley and the extension thereof and being parallel with and 89.94 feet perpendicular from the northerly side of Liberty Avenue, S 71° 01' 41" W a distance of 180.18 feet to a point on the easterly side of Seventh Street; thence along the easterly side of Seventh Street N 18° 55' 20" W a distance of 150.15 feet to the point of beginning.

Containing an area of 41,473.83 square feet or 0.952 acres, more or less.

BEING DESIGNATED in the Office of the Recorder of Deeds of Allegheny County, Pennsylvania, as Block and Lot 1-D-57, Block and Lot 9-N-72 and Block 2-A and Lots 4 and 5.

EXHIBIT B

(Heinz Hall Parcel)

All that certain lot or parcel of ground situate in the Second Ward, City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, being bounded and described as follows:

BEGINNING at the intersection of the southerly side of Penn Avenue, 60.07 feet wide, and the easterly side of Sixth Street, 60.07 feet wide; thence from said point of beginning along the easterly side of Sixth Street S 18° 55' 45" E a distance of 112.20 feet to a point; thence along the line of lands now or formerly of 601 Liberty, Inc., said line being parallel with and 128.22 feet perpendicular from the northerly side of Liberty Avenue, 80.09 feet wide, N 71° 02' 00" E a distance of 120.39 feet to a point; thence along the northerly side of Symphony Lane (formerly Exchange Way), now vacated, the following three courses and distances: (1) N 71° 02' 00" E a distance of 120.31 feet to a point, (2) N 18° 55' 45" W a distance of 1.41 feet to a point; and (3) N 71° 02' 00" E a distance of 60.14 feet to a point; thence along the line of lands now or formerly of Penn-Liberty Holding Company, N 18° 55' 45" W a distance of 110.79 feet to a point; thence westerly along the southerly side of Penn Avenue S 71° 02' 00" W a distance of 300.84 feet to the point of beginning.

Containing an area of 33,669.44 square feet or 0.773 acre, more or less.

BEING DESIGNATED in the

Office of the Recorder of Deeds of Allegheny County, Pennsylvania, as Block and Lot 1-D-32 and Block and Lot 1-D-44.

AND BEING the same property granted and conveyed to The Pittsburgh Symphony Society by the following deeds recorded in the Office of the Recorder of Deeds of Allegheny County, Pennsylvania: (1) deed from Marion A. Coleman, also kown as Marian Anderson Coleman, a widow, dated June 26, 1967 and recorded on June 30, 1967 in Deed Book Volume 4401, Page 581; (2) deed from Margaret McClary, also known as Margaret A. McClary, and Donald F. McClary, her husband, dated June 22, 1967 and recorded on June 30, 1967 in Deed Book Volume 4401, Page 591; (3) deed from the Chemical Bank New York Trust Company and John K. P. Stone, Executors of the Estate of George B. Anderson, Jr., Deceased, dated June 22, 1967 and recorded on June 30, 1967 in Deed Book Volume 4401, Page 596; (4) deed from The First Pennsylvania Banking and Trust Company and Vera Durham Anderson, Executors of the Estate of William H. Anderson, Deceased, dated June 26, 1967 and recorded on June 30, 1967 in Deed Book Volume 4401, Page 613; (5) deed from Caroline Anderson, also known as Caroline N. Anderson, a widow, dated June 21, 1967 and recorded on June 30, 1967 in Deed Book Volume 4401, Page 618; (6) deed from Pittsburgh National Bank, Successor Trustee under Trust Agreement dated February 27, 1925, in which Grant McCargo and Elizabeth Verner McCargo are Settlors, dated June 23, 1967 and recorded on June 30, 1967 in Deed Book Volume 4401, Page 623; (7) deed from Katherine Nial, a widow, dated June 21, 1967 and recorded on June 30, 1967 in Deed Book Volume 4401, Page 628; (8) deed from Hilliard Kreimer, Permanent Receiver of Penn Federal Corporation, dated June 20, 1967 and recorded on June 30, 1967 in Deed Book Volume 4401, Page 677; (9) deed from Simpson College, dated June 23, 1967 and recorded on June 30, 1967 in Deed Book Volume 4401, Page 681; (10) deed from Robert D. Dalzell and the Union National Bank of Pittsburgh, Trustees under the last will of Charles A. Anderson, dated June 20, 1967 and recorded on June 30, 1967 in Deed Book Volume 4401, Page 701; (11) deed from William S. Anderson, Jr. and Virginia P. Anderson, his wife, dated June 22, 1967 and recorded on June 30, 1967 in Deed Book Volume 4401, Page 706; (12) deed from Pittsburgh National Bank, successor trustee to Fidelity Title and Trust Company under an agreement of trust dated October 2, 1925 in which Elizabeth Morrison Reid is the Settlor, Elise Reid Snider, a widow, and James V. Morrison Reid, unmarried, dated June 23, 1967 and recorded on June 30, 1967 in Deed Book Volume 4401, Page 711; (13) deed from Elise Reid Snider, a widow, and James V. Morrison Reid, unmarried, dated June 20, 1967 and recorded on June 30, 1967 in Deed Book Volume 4481, Page 174; and (14) deed from Isabel McDonald Eberhardt, a widow, dated July 2, 1970 and recorded on July 6, 1970 in Deed Book Volume 4626, Page 526.

EXHIBIT C

(Heinz Plaza Parcel)

All that certain lot or parcel of ground situate in the Second Ward, City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, being bounded and described as follows:

BEGINNING at the intersection of the northerly side of Liberty Avenue, 80.09 feet wide, and the easterly side of Sixth Street, 60.07 feet wide; thence from the said point of beginning along the northerly side of Liberty Avenue N

71° 02' 00" E a distance of 120.39 feet perpendicular from the easterly side of Sixth Street N 18° 55' 45" a distance of 128.22 feet to a point; thence along the line of lands now or formerly of The Pittsburgh Symphony Soceity, said line being parallel with and 128.22 feet perpendicular from the northerly side of Liberty Avenue S 71° 02' 00" W a distance of 120.39 feet to a point; thece along the easterly side of Sixth Street S 18° 55' 45" E a distance of 128.22 feet to the point of beginning.

Containing an area of 15,436.40 square feet or 0.354 acre, more or less.

BEING DESIGNATED in the Office of the Recorder of Deeds of Allegheny County, Pennsylvania, as Block and Lot 1-D-91.

AND BEING the same property granted and conveyed to 601 Liberty, Inc. by deed from Golden Triangle Realities, dated August 23, 1976 and recorded in the Office of the Recorder of Deeds of Allegheny County, Pennsylvania, on September 1, 1976 in Deed Book Volume 5674, Page 851. Penn-Liberty Holding Company has succeeded to the interest of 601 Liberty, Inc. by reason of Articles of Conversion of 601 Liberty, Inc. (converting it into 601 Holding Company) filed with the Department of State of the Commonwealth of Pennsylvania on September 8, 1981 and Articles of Merger of Penn-Liberty Holding Company and 601 Holding Company (merging 601 Holding Company into Penn-Liberty Holding Company) filed with the Department of State of the Commonwealth of Pennsylvania on November 17, 1983.

Mr. Givens:

I just have some remarks that I'd like to make on this transfer that I think are appropriate.

If we look at our Auditorium Authority —

The Chair:

Mr. Givens, hold on. Can I ask you a question? Do you want to do it under discussion or do you want to do it when you vote?

Mr. Givens:

I can do it either way but I'd rather do it under discussion. It's not to stop the vote but I think some comments should be made here and some concerns that I have with the Auditorium Authority.

One, we had our Civic Arena and that was poorly managed wherein we had to turn it over to an outside administrator to take care of that particular thing and stop our indebtedness in that particular area.

We have the Convention Center, again, under the same Auditorium Authority. Again we have problems with that but hopefully they'll be ironed out.

Thirdly, we are now giving another new area of expertise somewhat align with that of the Convention Center, entertainment, to be in the hands of that Authority. They come out with a bonding issue that totally cost the taxpayers of Allegheny County and the City of Pittsburgh because of their timeliness of when they come out for that bond issue. When the bond market was good and this Council had approved it many, many months they had great latitude when to go out and hit the market. Because they went out in a very poor time, it cost the taxpayers long-term some $3 million.

I'm concerned as a Councilman, when we approve things of this nature and put it in the hands of people that I feel in some way or another do not have the expertise to manage these particular facilities.

I would like, as soon as this thing is designed and built, that maybe this Council has to get more monthly reports or at least quarterly reports from that Authority to find out how the management is going. I don't want to be sitting here another two or three years from now and find out there's a large debt being incurred within that particular building down there. It should pay for itself. Remember, the Stanley Theatre was a profit-making enterprise in the City of Pittsburgh and we received taxes from it. We will not receive any taxes from this proportion. However, when you weigh the balance between the two and the Allegheny Industries Inc. coming in to the City of Pittsburgh and hopefully building their twin towers, then we will hopefully regain some of that tax base that we have lost by making this an un-profit and otherwise expanding the beautiful area of that part of the City of Pittsburgh to the fine arts.

But I have caution in giving my vote of approval on this and I think this Council must look at it very closely, not just this Authority but any authority that does not spend their money in such a way that it benefits the taxpayers of the City of Pittsburgh.

The Chair:

May I ask a question? Which authority do you think it is that's selling the bonds? Do you think it's the Cultural Trust that's selling the bonds?

Mr. Givens:

It was the Trust that was eventually —

The Chair:

No.

Mr. Givens:

Well, it was from the City of Pittsburgh and Allegheny County.

The Chair:

The sale of the bonds is under the Convention Center.

Mr. Givens:

It was jointly under the City of Pittsburgh and Allegheny County but who was to manage that? Who were the people who were working out the details of the mutual agreement?

The Chair:

Cultural Trust.

Mr. Givens:

If it wasn't the Authority that was doing that —

The Chair:

No, but the financing was done by the Civic Auditorium Authority.

Mr. Givens:

Regardless of who it was done for, ultimately they have the responsibility and they knew that responsibility was going to be theirs and that's what they're there for.

Mr. Wagner presents

Bill No. 939 WHEREAS, the United States Congress has declared

Monday, June 18, 1984, National Child Passenger Safety Awareness Day; and

WHEREAS, the declaration is designed to promote child passenger safety and the use of special car seats for infants, toddlers, and young children; and

WHEREAS, this Council wishes to remind residents that the state's Child Passenger Protection Act requires children under four years old to be restrained when riding in a car driven by their parent or guardian; and

WHEREAS, the Allegheny County Health Department has called on local pediatricians, hospitals, auto dealers, and retail chains that sell car seats to support National Child Passenger Safety Awareness Day through special publicity, displays, demonstrations and promotions.

NOW THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City Council hereby recognize Monday, June 18, 1984, as "National Child Passenger Safety Awareness Day," and join with local, state, and federal officials in promoting child passenger safety in the City of Pittsburgh.

Mr. Wagner moved to adopt the resolution.

Mr. Woods seconded the motion.

Which motion prevailed.

Mr. Woods presents

Bill No. 940 WHEREAS, on Friday, June 15, 1984, friends and relatives of Jack Brennan gathered together for a surprise dinner in honor of Jack's many years of outstanding dedication and service as a volunteer community leader in the Brighton Heights area of the city; and

Jack has dilligently served the City of Pittsburgh as a member of the Pittsburgh Fire Department for the past 36 years; and

Among Jack's numerous activities are his assistance in the Meals on Wheels Program, regular visits to the community's seven personal care homes, Boardmember of the Riverview Manor High Rise - where he oriented and instructed persons interested in applying for residence there, organization of Brighton Heights annual fairs and parades, and President of the Brighton Heights Citizens Federation; and

Jack's motivation and leadership has greatly added to the dignity and pride of the Brighton Heights Community and to the entire City of Pittsburgh.

NOW THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City Council hereby recognize and commend Jack Brennan for his many years of outstanding public service to the Brighton Heights Community which has enriched the lives of many and has contributed immeasurably to the enhancement of the social and moral standards of our communities; and this Council wishes to extend sincere gratitude for enhancing and prepetuating community pride in our City.

Mr. Woods moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Michelle Madoff:

Getting back to what I deferred to the end of the meeting, as you may recall, in our research we discovered that we're supposedly to have 1,248 uniformed officers on force. In the week that we checked, there were only 1,046.45 officers available on that pay period which broke down to 249.16 officers available per average workshift. For this whole City, there were 249.16 officers available per average workshift but the more important thing was a note. Mr. O'Malley, take note. Included in active officers available per shift are the following: Administrative Personnel, those being calls staff; Supervisory Personnel, Superintendents and Inspectors, desk and in-station men assigned to each of the nine stations, community relations personnel, I presume that means Officer Friendly, etc., training personnel, specialized detectives for narcotics — Mr. Robinson and I have many times pushed to have special narcotics police expanded in the areas because we know if we attack in one area they'll only go to another; we need a separate police force — burglary, vice, auto squad, bomb and arson, crime lab, homocide, missing persons and youth and sex assaults are all under that 1,046 police officers of which 249 officers are available per average workshift, which means, in the read world, we don't got any police out on the street that amount to a row of beans.

So, I go back to my original motion. I want to have a vote of this Council, we need five votes, that we will hire a counselor who will advise this Council how we can force the Mayor to hire more police officers. What avenues are available to us? If we override his veto we have put the money in the budget every year and he has chosen not to exercise it. Not only has he not put the police on but because of attrition we are getting further and further behind. And I had no idea it was as bad as it is until these figures were supplied to me. So when you take all the office staff, all the special staff, and all the specialties in the police force, we don't have any police out there. I want to hire one of the attorneys available to this Council who will tell us what options we have to force the Administration to put more police on next year because this Council is willing to appropriate the funds.

That is my motion. Do I have a second?

The Chair:

Michelle, before you go any further, I think Mr. Givens started to answer your point. —

Michelle Madoff:

I don't want Mr. Givens' point; I want just the resolution that I gave and I'd like a second to it. Do I have a second to my motion? Nobody wants to see that we have more police?

The Chair:

No, no. That's what I'm trying to do. I'm trying to divide the issue and then it will be easier to handle. If you're saying we have to hire legal counsel to tell us whether we can or cannot hire police, that's foolish. We know that answer.

Michelle Madoff:

What is the answer?

The Chair:

The answer is you can't. You can't hire them. Everybody knows that.

Michelle Madoff:

That's correct. How do we get the Mayor to do it is the question.

The Chair:

There's only one way and that's the question of whether you hold up appropriations or not.

Mr. O'Malley:

You change the Home Rule Charter.

Michelle Madoff:

I don't believe that's true. How about some legal action against the Mayor for not doing his duty?

The Chair:

He still hires.

Michelle Madoff:

I would like to address that. I have asked the Mayor, when he asked me not to run for Mayor four years ago, I pleaded with him to sit down and address the issues of the public. I wanted nothing for me; I wanted things for the people of this City. He gave his solemn word that he would come up with sitting down with this Council and working our arrangements. He isn't going to sit down with this Council; he's going to run for Governor, he's going to run for Mayor, and he's going to do it on the backs of the citizens by having surplusses. And he's not going to spend money for police and don't give me this, "Let's sit down with your friend, the Mayor." I like him too. I think he's a lovely man; he's a charmer. I'd like to have him as a pet but not as a mayor.

I have made a motion that we do something about getting some legal counsel. If I can't do it, I'll do what I did once before, I'll go out and pay an attorney myself and I will find out what actions we have to take. Do we have to indict the man? What do we have to do? Somehow or someway, either you're in cohoots with him or you want police. You can't have it both ways. Do you want the Mayor to put police on? Or are you going to sit there and say, "He's my friend, I don't want to do anything to hurt the Mayor."? Make up your mind, folks.

The Chair:

If you put a proposal before us, as you have, and you don't divide the issue, that's a different matter. Before you came on this Council, everyone here was for police —

Michelle Madoff:

Including the Mayor when he was a Councilmember.

The Chair:

Fine. But on the other hand, if you're saying for us to spend money to go out and find out whether or not we can hire or not, that's foolish and it's a waste of —

Michelle Madoff:

That's not what I said. I did not say that. I know we cannot hire; we do not have the power to hire. I'm saying, how can we get the Administration to do their duty? They're derelict.. And if there's anybody out there listening to this show, start writing letters to the Mayor. You're not safe on the streets.

The Chair:

I have no second so the next

subject.

Mr. Givens:

Well, the second was there and I would second it but as I tried to indicate before to you, Mr. President, that we already have an opinion from our own legal several years back and I don't think anything would change that. Mike, if you could dig a copy of that out. This went back long before your time, Michelle, on Council when I was fighting that battle and still have never given up.

One can just look when I said about building bridges and the consumer prices, etc. But one also has to look at the safety of the City of Pittsburgh. We have a Fire Department that we have the same amount of firefighters that we had when I came onto this Council but yet our Police Department has gone from almost 1,600 some officers down to those as quoted by Michelle right now, today. When you look at that enormity of loss of officers, it equates out to several of the only nine police stations that we have, it almost means taking away about three or four police stations from the City of Pittsburgh. That's what it means.

I went to one police station last week just to look into some things and something disturbed me very much. Of the plain clothesmen in this particular station, three of them were there and there was no automobile, for example, for them to use that particular night. They had to go someplace into the central motor pool to pick up an automobile but there was none at their disposal. So there's efficiency and the use of efficiency and everything else and getting down to a critical state that we are right now. As I indicated, we're opening ourselves up to the biggest lawsuit this City has every seen. I'll tell you one thing, if anything happens to mine or my family and the police do not respond accordingly, I'll be the first one in line.

Michelle Madoff:

Mr. Givens, you said that you second my motion that we find out what action we can take to force the Administration to hire. We cannot hire. We have to find out how to make him hire.

Mr. Givens:

Michelle, I think you're a better politician than what you're trying to show right here and you know exactly what this Council —

Michelle Madoff:

You're confusing the issue that Mr. Stone thinks that I was talking about. I'm not saying that we have the power to hire. I know we do not. I repeat, we do not have the power to hire. But we do and can find out from some person who deals in government law what we can do, what powers this Council has to make the Administration hire people. And if not then just don't elect this Mayor. He doesn't care about your safety.

Mr. Givens:

I don't need an attorney to tell me what the powers of this Council are.

Michelle Madoff:

What are they? What can you do to make the Mayor hire people? Can you get seven votes out of this Council? You can't even get a second out of it.

The Chair:

Hold on a second. Mr. Givens, in view of what you just said, it's causing

some confusion. Her motion is that we hire an attorney to tell us what we can do.

Mr. Givens:

I seconded the motion for discussion, Mr. President.

The Chair:

Okay because you're talking against it and that's what's causing me some problems.

Is there any further discussion?

Are you still maintaining your second?

Mr. Givens:

I withdraw my second.

Michelle Madoff:

You don't want to find out what we can do to hire police?

Mr. Givens:

Michelle, it's obvious —

Michelle Madoff:

I think it's very clear everybody wants to get re-elected; nobody cares about the public. That's alright. We all know what's going on and the public knows it too.

Mr. Robinson:

Mr. President and members of Council, on June 7th and 8th of 1984 I attended the Pennsylvania Leage of Cities 85th Annual Convention in Allentown, PA. I attended this convention as a representative of the City of Pittsburgh, which is a participating member of the League, and as a member of the League's legislative committee and sub-committee on Energy, Environment and Natural Resources.

I was honored to have two resolutions considered by the Resolutions Committee. The first urged League support for Pennsylvania Senate and House Legislation authorizing School Boards, Boroughs, and Townships to levy the "Land Tax" in their respective jurisdictions. The second resolution urged League support for Pennsylvania House Legislation allowing District Justices to assign persons found guilty of misdemeanor offenses to work with community and civic organizations.

A complete packet of resolutions adopted by the Pennsylvania League of Cities will be made available to each member of Council.

Additional information on the Convention will be provided upon request.

I'd just like to mention that next year's convention, which will be the 86th convention of the Pennsylvania League of Cities, will be held here in the City of Pittsburgh.

On another subject relative to the amusement tax. As members of Council are aware, there is a bill in committee that I introduced to cut the amusement tax in half, from 10 percent to 5 percent.

I think that the recent decision of the promoters of the Michael Jackson tour not to come to the City of Pittsburgh is directly related to the fact that we have a 10 percent amusement tax. I think every major promoter in the country looks at a city's tax situation, particularly amusement tax situation, before making a decision of whether they

are coming to that city.

This year there are not going to be any major concerts, at least this summer, at the Pittsburgh Civic Arena I think, in part, because of the 10 percent amusement tax. The Michael Jackson concert certainly would have generated a significant amount of revenue for the City of Pittsburgh, but when you consider that 10 percent of the gross would have to go for the amusement tax there wasn't very much incentive.

I still urge Council and the Administration to give consideration to my bill to at least cut the amusement tax in half if not eliminate it altogether. I recognize the overall taxing problems that eliminating a tax or cutting a tax in half might have but I think in terms of stimulating business and revenues in the City of Pittsburgh, particularly from entertainment related events, the elimination or reduction of the amusement tax is a necessity.

The third issue that I'd like to raise with Council is Council Bill 643 which was passed by this Council several weeks ago and specifically relates to the proposed transfer and sale of our cable system here in the City of Pittsburgh from Warner Cable Corporation of Pittsburgh to Telecommunications, Inc. The bill 643 requested the Mayor and the Superintendent of the Cable Bureau and our Director of Public Works to do a financial analysis of both Warner Amex, the parent company of Warner Cable Corporation of Pittsburgh and Warner Cable Corporation of Pittsburgh to determine, indeed, what their status is, their financial status, and how that relates to any proposed sale based on Warner's inability to perform on the contract they signed with the City of Pittsburgh.

On June 26th, City Council and the Mayor will receive from TCI a proposal to operate the system. That proposal is based on the assumption that Warner Cable Corporation of Pittsburgh is unable to continue and also is based on an analysis by TCI that Warner Cable Corporation of Pittsburgh is financially unable to meet its commitments to the City of Pittsburgh.

We need to find out from those parties identified in Council Bill 643 when the financial analysis of Warner Cable Corporation of Pittsburgh and Warner Amex will be completed. This Council is supposed to receive a report 30 days after the analysis and before any sale or transfer is completed. I think it would be appropriate for us to have this information as quickly as possible, particular that in light of the fact that on July 10th TCI, Telecommunications, Inc., will present to Pittsburgh City Council an analysis of their proposals. I think that since that analysis is based on financial information that we need to have as much information as possible on the Warner situation.

If the City Clerk will contact those individuals and ask for the appropriate information, I think it will help us in our deliberations.

Mr. Givens:

I'd like to make some comments, Bill. I have to agree with you on the amusement tax, something that we've looked into for a number of years. But like everything else, I feel the user should be the person who pays and that's why the amusement tax is put on there, for the people who are paying it. If it's not an amusement tax, we have to be realistic and know, I think that attunes to $5 or $6 million a year, I believe. So, we're going to have to raise at least $2-1/2 to $3 million in additional revenues just to balance our budget for next

year. Along with that, when you say eliminate a tax, then what other tax are you going to put on to make up the differences of what we lose. And I appreciate the fact that if you bring more entertainment into the City that that in itself will probably increase the overall benefit totally throughout. However, that's not always the case. But somewhere we must balance that off.

Secondly, on another subject, going back to why I withdrew my motion on Michelle's request to have a legal opinion was the fact that I had stated that we had a legal opinion and to go forward and ask for another legal opinion and that first one cost us, if I can recall, several thousand dollars. It was an in-depth report to this Council, several pages of legal documents. It also was from one of the very prestigious law firms of the City of Pittsburgh that gave us that particular report. I think if she wants the change of the total police force within the City of Pittsburgh, that comes from within this Council and that comes from the majority of votes within this Council and that is where it all lies.

Mr. Robinson moved to approve the Minutes of Monday, May 21, 1984, Tuesday, May 29, 1984 and Monday, June 4, 1984.

Mr. O'Malley seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Robinson**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, June 25, 1984 No. 26

Municipal Record

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, June 25, 1984

PRESENT:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

ABSENT:

Mr. Robinson

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Givens:

Mr. President and members of Council, I have three resolutions to be presented; two of them will be in connection with the Vietnam Veterans and one of them will be differently. I'd like to read all three of them, have them all adopted, and if there's any discussion on the one bill we could hold that until possibly the people leave and bring it up a little later on in the meeting.

Mr. Givens presents

Bill No. 967 WHEREAS, our nation, in recent years, has just begun to recognize the valiant and patriotic service of the Veterans of the Vietnam War; and

WHEREAS, the Pittsburgh metropolitan area has over 64,000 Vietnam Veterans presently residing in Allegheny County and over 170,000 in Western Pennsylvania; and

WHEREAS, the Vietnam Veterans Leadership Program, a self-help volunteer organization, has become an effective and essential center to advance the rights, assist in the programs, and encourage the development of the Vietnam Veterans in our region; and

WHEREAS, on Wednesday, June 27, the VVLP of Western Pennsylvania will sponsor a luncheon in honor of Vietnam Veterans Recognition Day hosted by Rocky Bleier, one of our City's most distinguished Vietnam Veterans;

NOW, THEREFORE, BE IT RESOLVED, that the Council and the Mayor of the City of Pittsburgh on behalf of the citizens of Pittsburgh join Allegheny County and the State of Pennsylvania in declaring Wednesday, June 27, 1984, Vietnam Veterans Recognition Day in Pittsburgh; and

BE IT FURTHER RESOLVED, that we extend our heartfelt welcome to General William C. Westmoreland, U.S. Army, retired, Colonel Harry G. Summers, Jr., U.S. Army, and Kenneth Moorefield, National Director of the VVLP, as they come to Pittsburgh to address our community's Vietnam Veterans at Wednesday's luncheon.

Mr. Givens moved to adopt the resolution.

Mr. Woods seconded the motion.

Which motion prevailed.

Mr. Givens:

Again, I ask all of you to come here. Shamus, would you and some of your group come forward please and accept the plaques that we have for you. Of course this resolution will be read at that particular dinner, over 300 some people so far will be attending. I hope that this little program will help boost that to some degree.

Mark McKinney:

Members of Council and in particular Councilman Givens, Councilman Woods, Councilman Wagner and Councilman O'Malley, on behalf of the program I wish to acknowledge the cooperation and the help that we have received in the Pittsburgh area and in the Allegheny County area.

A brief overview of this program is merely that it is an all volunteer program of Vietnam Veterans helping other Vietnam Veterans. The City of Pittsburgh has the highest concentration per capita of Vietnam Veterans in the entire country. One of the major projects we hope to undertake and have undertaken is employment opportunities which targets Vietnam Veterans for employment and certainly would be very important to this area creating new jobs and new job opportunities in the area.

That's a brief overview of our program and thank you again for this proclamation.

Mr. Givens:

If I might, we have the Council Resolution No. 543 signed by both myself and Jack Wagner. Keep those and give them out to your guests when they arrive in Pittsburgh. I'll see you there.

Shamus Maloney:

I'd just like to make a very brief comment and that is to thank all of the people in the City of Pittsburgh for giving us such a help in starting out. A number of the Councilmembers here have helped this program get started. I would also like to commend and thank the people in the City that handle the federal jobs programs, specifically Melanie Smith, Georgine Scarpino, Dave Farley and Terry Woodcock whom we've been working very closely with to try to help improve the employment situation for Vietnam Veterans. Of course, we don't want to forget that one of the program's projects that we're very much involved with is the Vietnam Veterans monument for the City of Pittsburgh and Allegheny County and of course the City has been extremely helpful in providing the land for that monument and I think the City of Pittsburgh —

I have a picture in my pocket which I was going to pass around but I won't bother to. In 1968 I had a picture taken in Vietnam of me holding up the City of Pittsburgh flag, not just a little one but a gigantic one that Mayor Barr had sent to me. In Vietnam there was a lot of patriotism, a lot of connection with the state, Texas, Arkansas, wherever. They couldn't quite understand why the guys from Pittsburgh had such loyalty, that we would even have a City flag. At that time I felt very much a part of the City of Pittsburgh and I think the City of Pittsburgh and the people representing the City have gone the extra steps with us to help us get our program started and that loyalty that I had at that time has not been betrayed in any way, shape or form.

Thank you very much.

The Chair:

If I may, Mr. Givens, I will not be able to be in attendance on Wednesday at the luncheon but I would not like my actions to be interpreted other than the fact that I stand ready, willing and able to help wherever I can and I'm sure all members of Council stand ready, willing and able to help in any respect we might to the Vietnam Veterans.

I just want to share one small note with you. I had the opportunity to be in Washington, D.C., and visited the Vietnam memorial there and I was extremely impressed with all attendees as they come before that monument. It has a striking effect on everyone who happens to be there and I think that nothing is more welcome than, as the Vietnam Veterans have asked, and that is welcome home. They are ours and it's about time we recognized it.

To all of you, whatever help we can give you, feel free to ask for it.

Mr. Givens:

Ron, would you please come forward? Ron here started out, and the resolution will so address that, on Pennsylvania Avenue, Washington, D.C., and have been on the road since about May 17th and are ending up in Los Angeles. Ron has done something that I think is worthy of recognition and he was out at the Vietnam Veterans' pavillion in Schenley Park, which Bill Robinson, if you can recall, so designated that particular park.

Mr. Givens presents

Bill No. 968 WHEREAS, there are still 2,489 American POW/MIAs unaccounted for as a result of the Vietnam War; and

WHEREAS, among these soldiers are 126 Pennsylvanians, 22 residents of Allegheny County and 13 men who made Pittsburgh their home; and

WHEREAS, the Friends of the POW/MIA began a transcontinental horseback expedition from Washington, D.C. on May 15 with a destination of Los Angeles, CA later this year in November to keep our country aware of the plight of our POW/MIAs; and

WHEREAS, as they pass through our City, their hard journey reminds all of us of our brave fellow countrymen whose precious but unaccounted for lives are a constant source of anguish for family and friends.

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh and the Mayor, on behalf of the citizens of Pittsburgh, welcome and congratulate

Ron Villareale, President of the Friends of the POW/MIA and his fellow horsemen as they ride through our City on their nationwide expedition of awareness, and join in their heartfelt desire for our country to secure from Vietnam a full accounting of the 2,489 American POW/MIAs.

Mr. Givens moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Givens:

I can make one personal note here that the first Air Force P.O.W. was Jerry Singleton who served in the same outfit that I did and I knew him very well. Jerry was one of the fortunate ones, one of the first ones shot down in North Vietnam but who came back aboard that airplane.

Many times as we served in Vietnam the intelligence community would come by, both covert and overt, and show us pictures of men that they had received pictures from where we then identified some of our buddies. We knew they were shot down, we had communication as they came down in the parachute because we carried a walkie-talkie with us. They were on the ground, they were captured, they were seen after they were captured yet some of these men have not returned back. That's why we cannot give up what Ron is trying to dignify by keeping this alive in the hearts of all the people of Allegheny County and Pittsburgh.

Ron Villareale:

"The war is over, so it said. All men are home or else they're dead.

Don't you know that I want to cry that some of us have refused to die?

Where are your ears, my countrymen, when refugees tell you the state I'm in?

Don't you care that I live in Hell, with nothing but my soul left to sell?

I wonder each and every night how much longer I can fight. It's not easy to survive when you country has buried you alive.

I've watched friends fade one by one. Despair has killed them, not a gun. They've died forgotten, abandoned and alone, because no one cared to bring them home.

I, too, may go this way or find freedom on execution day; but you, my friends, will never be free if you're one who has deserted me."

This is the message that we bear with us across the nation. We're not riding horses across the country; we're out to inform the American public that there are American soldiers alive in captivity, enslaved, held against their will, eleven years after the end of the Vietnam War. The horses are, of course, a symbolic gesture recalling a time in this country's history when the principles that we stood for were adhered to.

In Korea we left 389 known prisoners of war behind. In Vietnam, 2482 men still remain unaccounted for. Washington has confirmed the report that at 17 Lai Damnom Street in Hanoi there's a warehouse with 400 embalmed bodies of American soldiers being used as bargaining chips. We've had countless refugee reports over the years since 1975 of Americans in captivity still and for eleven years, administration after administration has ignored it.

Where are your ears, my countrymen?

Those men have one hope. The American public. We're taking this across the continental United States, as I said, to inform the public that this situation exists today, that these men remain there, their families remain here in the limbo of not knowing if they're one of the dead or one of the live ones that are still being held today. Those men were there yesterday, they're there right now today, they'll be there for as many tomorrows as we allow them to be there.

In 1979, a Norwegian told officials in this country that during his time in North Vietnam working for his company which was building a papermill, he was touring the countryside on his motorcycle, wandered across a group of Americans on a chain gang, 1979. He was quickly whisked by the guards but not before he heard the Americans shout out, "Tell the world about us; tell them not to forget us".

That was one of the few messages that have come verbatim out of Vietnam and now that message has been delivered because it was intended for you as much as it was intended for me. The first time I heard that two years ago, I understood quite clearly that that man was speaking to me, as he was speaking to each and every one of us.

Those men only have one source of hope and that's this country and what we do to secure their freedom. We've all heard about their plight, we've all heard that men were being held still. Capitol Hill in Washington has been assaulted by groups trying to spur the government into action for eleven years now, being lead by, of course, the family members. This year is crucial. Most of our members are in agreement that if something isn't done this year, if some sort of enaction isn't at least started towards some positive results of securing their freedom, those men will forever be lost. It's been eleven years since the end of that war, eleven years that those men have been waiting to come home, as the 591 men who were returned home in 1973, after which time the Vietnamese claimed consistently that there are no more live Americans, just as they claimed consistently that there are no more remains left in Vietnam and yet every year, usually just before the convention of the National League of Families, they conveniently find some. Some of those remains have been gone over by families' own physicians only to find out that those, even those sets of remains, those men didn't die until long after 1973.

Where are your ears, my countrymen, when refugees tell you the state I'm in?

They were there yesterday, they're there right now today, and we hope you will all join us this year in contacting your Congressmen, Senators, telling them there are 126 men missing from the state of Pennsylvania. Why? There are two bills, one in front of the Senate and one in front of the Congress right now. I might mention that out of the fourteen co-sponsors of the Senate bill, neither of the Pennsylvania Senators are on that bill as yet. Why? How long must those men wait? Until the American public, through determination, decides to bring them home.

Ladies and gentlemen, thank you.

Michelle Madoff:

What you're doing is very heroic but I'm sure you're not here just for the rhetoric. You want some results.

Mr. Villareale:

Exactly.

Michelle Madoff:

I want to talk very briefly about what we can do to be productive. Do you happen to know off-hand or can you provide the President of this Council with the number of the bill that our own —

Mr. Villareale:

SJ246, Senate Bill.

Michelle Madoff:

Mike, will you get that please? I would like to ask the President of this Council, with his signature, that a letter go from this Council unanimously asking our two Senators, Senator Spector and Senator Heinz, to please immediately put their names to the bills. We were very appalled to find out they were not on it. Perhaps their not being on it was an oversight, maybe no one asked them to be on it, they figured they had enough names —

Mr. Villareale:

As I said, as of yet they are not on it.

Michelle Madoff:

The point is, we want to be sure that they're asked to be on it and if they are on it would they expedite and move Heaven and earth to see what can be done. I think just a letter to them isn't sufficient; I think a letter to the White House, we'll begin with the President of this Council, and if the President of our Council will confer with the Mayor to see that a joint letter could go, that the Council representing the lectorate of this community, represented by Mr. Stone and by the Mayor, strongly urge support of the bills and of the release, you say 126 additional, and to do something immediately.

Mr. Villareale:

If I might explain, what we're doing is carrying a prisoner of war flag across the nation. —

Michelle Madoff:

I've been listening to you on the air, incidentally.

Mr. Villareale:

We're collecting red ribbons from the elected officials from across the nation. That flag should represent 100 million Americans. After we terminate in Los Angeles, the flag is being brought back to Congress and presented to them along with the letters from the elected officials that we're also asking them to write.

Michelle Madoff:

So you want a copy of our letter, is that what you're saying?

Mr. Villareale:

Yes, I would.

Michelle Madoff:

Is there some way that you could tell Mr. Perry, our Clerk, where the letters are to go to because you won't be here, perhaps, tomorrow and we want to know where he's to send it to.

I think what we also need to see, I would hope because we have very responsible media people here in the room and I watched while you were

speaking and I think they felt as we did, hopefully they can get something out to the media urging people to write letters to the editor, write to the Washington Post particularly because that's the paper that our Legislators read —

Mr. Villareale:

And to their Congressmen.

Michelle Madoff:

And to their Congressmen but we're going to do that automatically. Mr. Stone, how do you wish to handle that?

The Chair:

I think we can send a letter on behalf of all of us. I'll be in Washington on Wednesday and I'll talk to the two Senators myself.

Michelle Madoff:

Are you going to be in the Baltimore meeting on Thursday?

The Chair:

Wednesday I'll be in Washington, D.C.

Michelle Madoff:

Well, I'm going to be in Baltimore; Mr. Woods, you're going to be in Baltimore on Thursday?

Mr. Woods:

Friday.

Michelle Madoff:

Is it Friday? Well, we'll leave it in your capable hands, Mr. Stone, to see Mr. Coyne, Mr. Walgren, Mr. Gaydos, etc. Many of us know them as personal friends but I don't think it's necessary. If you'll handle it, we don't have to handle it ourselves.

The Chair:

I think this issue is important enough that it ought to go to all of our Senators and Legislators.

Michelle Madoff:

I would appreciate that, I think all of us would, and more importantly, I would like to urge the media to encourage the average public to write a letter to the editor of the Washington Post and copies to — well, I guess you want your copy to go to the President; that would probably be the best place to send it — but particularly the Washington Post because that's the paper they read generally.

Thank you for being here and thank you for what you're doing.

The Chair:

Thank you, Ron, for giving this call to awareness for all Americans. Thank you.

Mr. Villareale:

Thank you.

Mr. Givens:

Mr. President, if I could just read one more resolution. I notice that Lt. McNamara of the Fraternal Order of Police is in the audience and I'm sure he and I have talked of this particular resolution and Jim O'Malley is working on legislation right now, along with this, but this goes back to my days as a public safety man and talking and working and trying to work with the Administration

to bring forth what's in this resolution of intent. That's all it is.

Mr. Givens presents

Bill No. 969 WHEREAS, providing for the safety of the people of Pittsburgh is one of the highest priorities of our local government; and,

WHEREAS, it is a policy of this City to insure that only the most able and qualified candidates serve in this vital capacity as police officers in order to secure the public safety; and,

WHEREAS, over the past year, serious questions have been raised about the testing and hiring practices used to select police officer candidates; and,

WHEREAS, an essential part of a police officers' duties include the use of physical restraint, apprehension, and pursuit; and

WHEREAS, the administration has testified before this Council that it has been considering including strength and agility tests to improve its police testing process;

NOW THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh supports the administration in its deliberations to include a strength and agility test and urges the Mayor, the Civil Service Commission, and the Director of the Department of Personnel to implement such a test in time for selection of the current group of police officer candidates.

Mr. Givens moved to adopt the resolution.

Mr. O'Malley seconded the motion.

The Chair:

Mr. Givens, only one comment if I may. I think that first class is coming out rather rapidly. It may not be in time for the first class but I think what you mean is the new hires and I subscribe to that.

Michelle Madoff:

Discussion. Mr. Givens, in your bill it said, "Be it resolved that the Council of the City of Pittsburgh supports the Administration in its deliberation to include a strength and agility test and urges the Mayor". Is there already written into the bill a strength and agility test? Is it already in the bill?

The Chair:

No.

Michelle Madoff:

Then why does it say that? It says urging him to support the Administration's position. I want a correction on this phrasing.

The Chair:

What he's referring to is they had announced that they're going to start one now for police and that's what he's alluding to and that's why he's agreeing with their intent.

Michelle Madoff:

I'm sorry but you still haven't clarified it. You're saying that the Administration is going to be preparing some new ground rules for hiring which will include strength and agility. Is that correct?

The Chair:

Correct.

Michelle Madoff:

The Mayor has proposed that already?

The Chair:

Yes.

Michelle Madoff:

That of course would not discriminate against women who have strength and agility but might discriminate against men who don't.

Mr. Givens:

The Fire Department has been doing it all along. For years.

Michelle Madoff:

Do you understand my question?

The Chair:

Right now they don't have any kind of test for that, Michelle, and what they're indicating is that they want to have some test. Obviously it means an acceptable test.

Michelle Madoff:

Do you understand what I'm getting at? The position, as far as I'm concerned, and I want it very clearly understood, we women do not want any special favors. If we are agile enough to lift the dummy, if we are able to have the strength and agility to be police officers, we should be hired. We should not if we do not have that ability. I shouldn't say hired, I'm referring to at least being given the opportunity to get into the training program and at the end of the training program, whether you're male, female, a cow or a chicken, if you cannot meet the standards you don't get hired. It's not based on whether you're male or female. I want that clearly understood that the language should mean strength and agility no matter what sex you might happen to be and that there's no intent to discriminate.

I don't know whether you want me to address this at this time or to wait until after the meeting but I'll give you the general gist of it.

The Chair:

We're on his resolution.

Michelle Madoff:

Well, it ties to the resolution.

The Chair:

Let's not far-fetch it.

Michelle Madoff:

I'll ask your opinion and if you think it's inappropriate I'll do as you asked me last time and wait until after the meeting.

There's a letter from an attorney in the audience here today, a Mr. Klein, who has a letter concerning a police officer who passed the medical test, was never called in for the physical test —

The Chair:

Alright, let me help you. I think it's going into something specific. He's just giving a general —

Michelle Madoff:

Would you like me to hold this

until —

The Chair:

Yes, please.

Michelle Madoff:

This is an opinion by the judge saying that we did not clarify his ruling and he did not say that we should throw the lists away. Do you want me to address it right after the meeting?

The Chair:

Okay.

Michelle Madoff:

I will do that. I've distributed copies of the letter.

The Chair:

All in favor of the resolution say aye.

Michelle Madoff:

I'm going to abstain because I don't know just what it means.

Mrs. Masloff:

I'm going to abstain also. Mr. President, I don't think that the strength itself is necessary. I think, to be able to do the job, to be able to handle it, you don't necessarily need the strength. I'm going to abstain too.

The Chair:

In fairness to Mr. Givens, I don't think he's inferring that the person has to be a weight-lifter but to be in physical shape.

Mr. Woods:

If I may, Mr. President, it would be somewhat on the order, I assume, just as the fire test is given. The same type of test, that's all.

Michelle Madoff:

Mr. Woods, Mrs. Masloff is absolutely right. Very frequently in a domestic situation, a little petite woman can come in and talk sense to a big burly man and he backs off whereas sometimes a police officer says, "Hey man, hold it there" and —

Mr. Woods:

And then he backs off.

Michelle Madoff:

By then it's too late.

The point I'm making has been proven that in domestic situations, sometimes women make better police officers under certain situations.

What I would like to see is wording, particularly in the police situation, that we use people in the best jobs. I've used this example many times. Our Mayor may be the greatest Mayor in the world but he's not physically able to do some of the things that he might be called upon if he were a fireman. He can't lift the dummy.

The Chair:

All in favor signify by saying aye.

Opposed?

Which motion prevailed.

(MICHELLE MADOFF AND MRS. MASLOFF ABSTAINING)

Mr. Wagner:

Mr. President, members of Council, ladies and gentlemen, too often we hear of companies taking their profits and returning very little to our cities and neighborhoods from where their monies come from. Today it is a great privilege for us to recognize two fine organizations who have shown their appreciation to the people who support them by returning to our cities and neighborhoods a very vital and timely service.

Each year across our nation over 1 million of our children disappear from their homes; most of them are runaways. Many hundreds of miles from home, a remorseful heart and no money in their pockets presents a formidable problem for those desiring to return home.

In June of this year, the International Association of Chief of Police and the Trailways Corporation addressed this problem and presented a program guaranteeing a no-cost ride for all our young runaways desiring to return home to their families. We are here today to give our thanks to these two organizations on behalf of the City of Pittsburgh, the Mayor, Pittsburgh City Council, and all the parents, especially those who have benefitted from this program.

Representing the International Association of Chiefs of Police, I believe, — Is Superintendent Coll here? Representing Trailways Corporation we have Viola Boehm who is the regional sales manager and Tom Hastings, manager of the Pittsburgh office. I'd like them to step forward, please, during the reading of the resolution.

Incidentally, there's a gift on each one of our tables from Viola and Tom, a little Trailways bus to indicate their thanks for this resolution.

Mr. Wagner presents

Bill No. 970 WHEREAS, according to International Association of Chiefs of Police statistics, over one million children are reported missing each year, many of which are runaways who find themselves stranded in unfamiliar locales with no way to return home to their families; and

WHEREAS, the IACP & the Trailways Corporation have established a program entitled, "Operation: Home Free" to aid in Reuniting Runaway children with their families; and

WHEREAS, under the terms of the program, any child identified by the IACP as a runaway will be escorted to the local Trailways terminal or agency and given free transport aboard a Trailways bus to their home community; and

WHEREAS, Trailways will be producing posters and utilize other communication tools in order to spread the word about "Operation: Home Free"; and

WHEREAS, the IACP has commended Trailways Corporation for their civic mindedness in taking part in this important program

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City Council hereby recognize and commend The Trailways Corporation and the International Association of Chiefs of Police for establishing the "Operation: Home Free" program, which demonstrates extreme sensitivity and heartfelt concern for the plight of

runaways and their families.

BE IT FURTHER RESOLVED, that this Council wishes to focus attention on this worthy program, which promises to be a source of emotional and spiritual benefit to a great number of families in the years ahead.

Mr. Wagner moved to adopt the resolution.

Mr. Woods seconded the motion.

Which motion prevailed.

Mr. Wagner:

At this time I'd like to introduce Viola Boehm, the regional salesmanager of Trailways, to say a few words.

Ms. Boehm:

Basically, first of all, I'd certainly like to thank the City for this resolution. It's resolutions such as this that enables us to make the public aware of special programs that come into effect of this nature.

"Operation: Home Free" is Trailways way of picking up on President Reagan's request for private sector innovativeness to address social need in the country. To date, we have brought home 85 runaway children and we are now at the point of averaging 5 to 10 on a weekly basis. This is 85 children who are terribly happy to be home with their parents and 85 parents that are very grateful to have their children back home with them.

This program will continue as long as there's a need for it. Hopefully, someday, we'll reach the day where there won't be a need for it.

Thank you very much.

Mrs. Masloff:

Jack, along those lines I want to tell Trailways that Pittsburgh has gone one step further. We have instituted a finger-printing program along with the National Child Watch Program to further help in identifying lost children so that when they are lost they can be identified quickly through their fingerprints. That program has begun in Pittsburgh and will continue in Pittsburgh every Monday in Pittsburgh parks.

Ms. Boehm:

I think that's a tremendous program and the City should certainly be commended for it.

Mr. Givens presented

No. 941 Resolution providing for a Reimbursement Agreement or Agreements with the County of Allegheny in connection with the renovation of Elevator "K" in the City-County Building, the aggregate cost not to exceed $150,000.00; and the share of City shall not exceed $75,000.00 chargeable to and payable from the Community Communications Trust Fund, Code Account CC, Department of Public Works, Bureau of Cable Communications, Index No. 250555.

Also,

No. 942 Resolution providing for a Contract or Contracts or the use of existing Contracts for equipment, services, and supplies for the installation of a Lighting and Audio System for City Council Chambers, at a cost not to exceed $80,000.00 chargeable to and payable from the Community Communications Trust Fund, Code Account CC, Department of Public Works, Bureau of Cable Communications, Index No. 250555.

Also,

No. 943 Resolution vacating Tunnell Street from a point on the easterly side of Tunnel Street at its intersection with the southeasterly line of Bigelow Square to its northeasterly intersection with Centre Avenue, thence along the northerly side of the new Sixth Avenue to its intersection with the west side of Tunnel Street, thence along Tunnel Street to its intersection with the easterly side of Bigelow Square, thence along the east line of Bigelow Square to the place of beginning in the 2nd Ward of the City of Pittsburgh, excepting and reserving easements for the sewer & utility lines located therein.

Which were severally read and referred to the Committee on Public Works.

Mr. Grabowski presented:

No. 944 Resolution providing for the letting of a Contract or Contracts; or for the use of existing Contracts for the purchase and delivery of Jack Stands, Floor Stands, Transmission Jack and Portable Hydraulic Ram for the Department of General Services, at a cost not to exceed $15,000.00 chargeable to and payable from Code Account 4-30-01-0001-83, (SD 83-01), Index No. 370106, Misc. Equipment, Various City Departments, Department of General Services.

Also,

No. 945 Resolution providing for the letting of a Contract or Contracts; or for the use of existing Contracts for the purchase and delivery of One (1) Hydraulic Vehicle Lift for the Department of General Services, at a cost not to exceed $25,000.00 Code Account 4-30-01-0001-83, (SD 83-01), Index Code 370106, Miscellaneous Equipment, Various City Departments, Department of General Services.

Which were read and referred to the Committee on General Services.

Mrs. Masloff presented

No. 946 Resolution transferring the amount of $60,000.00 from Code Account 57-1 (005710) Retirement Severence Pay-Sick Leave in the Department of Finance to Code Account SPP (254359), in the Department of Parks and Recreation.

Which was read and referred to the Committee on Finance.

Also,

No. 947 Resolution providing for an Agreement or Agreements with an independent contractor to provide professional services in connection with the Department of Parks and Recreation's Summer Food Service Program, at a cost not to exceed $5,000.00 chargeable to and payable from Code Account SSFSP, Index No. 270256, Special Summer Food Service Program Trust Fund, Dept. of Parks and Recreation.

Also,

No. 948 Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting interim approval for payment in connection with the purchase of tennis equipment for the Department of Parks and Recreation, at a cost not to exceed $3,000.00 payable from Code Account SPPTF, (254359). (SPPTF - Special Parks Program Trust Fund)

Also,

No. 949 Communication from Louise R. Brown, Director, Dept. of

Parks and Recreation, requesting authorization for Lindsay Clack to attend the Northeast Regional Conference of the American Association of Zoological Parks & Aquariums in Philadelphia, PA on April 28 - May 1, 1984, at a cost not to exceed $420.00 payable from the Aviary Trust Fund, Dept. of Parks and Recreation.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Wagner for Mr. Robinson presented

No. 950 Resolution providing for an Agreement or Agreements with the Pittsburgh Clean Cities Committee, a non-profit corporation, for the purpose of employing approximately 200 economically disadvantaged youths to clean up and/or landscape City neighborhoods, at a cost not to exceed $150,000.00 chargeable to and payable from the 1984 Community Development Block Grant Program, "Unspecified Local Option," Project No. 4-40-05-0517-84-901-84-35.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Grabowski:

In regards to Councilman Wagner's motion, aren't we having our Committee session on Tuesday this week rather than Wednesday?

The Chair:

It's Tuesday. Tomorrow.

Mr. Grabowski:

Okay. Then let the Record indicate that.

Also,

No. 951 Resolution authorizing the Mayor of the City of Pittsburgh to apply to United States Department of Housing and Urban Development for $697,700 to fund a Rental Rehabilitation Grant Program for the City of Pittsburgh.

Also,

No. 952 Resolution authorizing the Mayor to enter into a Cooperation Agreement with Urban Redevelopment Authority of Pittsburgh regarding the Rental Rehabilitation Grant Program.

Also,

No. 953 Resolution approving execution of Contract by and between the URA and The Garfield Jubilee Association, Inc., for the sale of properties in the 10th Ward — Residential Land Reserve Fund. Aggregate price of $14,200.00 (Resale for Rehabilitation - New Construction - Parking).

Also,

No. 954 Resolution approving execution of a Disposition Contract by and between the URA and Annie W. Scates for the sale of Block 22-P, Lot 308 in the 21st Ward — Residential Land Reserve Fund (1313 Sheffield Street) Sale price of $1,500.00. (Resale for

Rehabilitation).

Also,

No. 955 Resolution approving the execution of a Disposition Contract by and between the URA and Ann Mahaffey for the sale of Block 22-D, Lot 175 in the 25th Ward — Residential Land Reserve Fund (1935 N. Charles Street). Sale price of $300.00 (Sideyard).

Also,

No. 956 Communication from Paul C. Brophy, Executive Director, Urban Redevelopment Authority of Pittsburgh, submitting the Progress Report for the vears 1980-1983 of the Vacant Property Review Committee.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 957 Resolution further amending Res. No. 811, effective August 25, 1980, as amended by Res. No. 1376, effective December 31, 1980, as amended by Res. 402, effective May 1, 1981, entitled: "Providing for an Agreement or Agreements or Supplemental Agreement or Agreements with an Engineering Consultant for Professional Engineering Services in connection with Steuben Street sidewalks and retaining wall (PW 80-30); by increasing the total allocation from $70,600.00 to $71,167.89 payable from Code Account CDPW 80-30, Steuben Street Sidewalk.

Which was read and referred to the Committee on Engineering and Construction.

Also,

No. 958 Petition from the residents of Dewitt Street requesting a public hearing to have Dewitt Street repaired by having jumper walks from Boggs to Griffin Street; widening Griffin Street to make a wider turn; guard rails; a storm sewer at the bottom of the street; and also have the City lot at the bottom of Dewitt & Southern be cleaned because of weeds and rats.

Which was read and referred to the Committee on Public Works.

Mr. Woods presented

No. 959 Resolution transferring $100,000.00 from Code Account No. 45, Health Insurance Municipal Employees, Department of Finance to Code Account No. 47, Personal Leave Buy Back, Department of Finance.

Also,

No. 960 Communication from Dante Pellegrini, City Solicitor, Department of Law, submitting a report summarizing settlement claims not exceeding $750.00 for the First Quarter of 1984, payable from Code Account No. 1081, Petty Claims.

Which were read and referred to the Committee on Finance.

Also,

No. 961 An Ordinance amending Title Ten, Pittsburgh Code by prohibiting use of plastic pipe in duct work, electrical work and plumbing. — **(SPONSORED BY MR. WOODS)**

Which was read and referred to the Committee on Public Safety.

Also,

No. 962 Communication from

Tom Flaherty, City Controller, submitting the performance audit of the Pittsburgh Commission on Human Relations.

Which was read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 963

Report of the Committee on Finance for June 20, 1983 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 712

A Resolution entitled, "Resolution authorizing the Mayor and the Director of Finance, on behalf of the City of Pittsburgh, County of Allegheny and School District of Pittsburgh to transfer its rights, title and interest, if any, for certain Three Taxing Bodies' properties in various wards of the City of Pittsburgh to Port Authority of Allegheny County. Deeds to be in Quit Claim form for a total consideration of $1,316.00 as setforth in attached addendum."

Which was read.

Mr. Wagner:

Mr. President, on Bill No. 712, I would like for the City Clerk to send a letter to the Finance Department requesting that the procedure be changed for the sale of property. Whereas, in this situation, the Port Authority is purchasing property from the County of Allegheny, the City of Pittsburgh and the School Board, and they initiated the evaluation of the price of that property by sending out their own appraisals to determine the cost of that property and then after that initiated the procedure to purchase the property.

I would like to see the City of Pittsburgh send out their own appraisals rather than the Port Authority or any other organization or private person if we are selling property. We should be appraising that property rather than them.

The Chair:

It sounds strange to me. Ordinarily the agent, which is the City, gets the appraiser.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 867

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Myers Electrical & Industrial Supply Company in the amount of Thirty Seven Thousand Nine Hundred Dollars and Fifty Cents ($37,900.50) in payment for the emergency purchase of the new Central Business District Standard Street Lighting poles and luminaries which were purchased and installed as part of the new Renaissance development in downtown Pittsburgh; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 868

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Mobil Oil Corporation, in the amount of Two Thousand Two Hundred Seventy-nine Dollars and Twenty Cents ($2,279.20) in payment for the emergency purchase of Mobiltherm, a heating transfer oil, needed for the daily operation of the Asphalt Plant; and providing for the payment thereof."

Which was read.

Also,

Bill No. 869

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of K.A.E. Paving Consultants, Incorporated in the amount of Three Thousand Five Hundred Twenty Eight Dollars and Seventy Two Cents ($3,528.72) in payment for the emergency purchase of asphalt sealing materials for use on the Fifth Avenue Bus Lane between Liberty and Sixth Avenues; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 877

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Jack's Truck Parts in the amount of $10,985.00 for the purchase of a fire truck engine."

Which was read.

Also,

Bill No. 879

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Beaver Valley Builders Supply, Incorporated, 906 Glenwood Avenue, P.O. Box 250, Ambridge, PA, in the amount of $874.00 in payment of sand furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 880

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of R&S Equipment Company, 100 Sylvan Avenue, Verona, PA 15147, in the amount of $808.95 in payment for repair of a Smith S-54 Tapping Machine furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 882

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Cost, Incorporated in the amount of $896.00 in payment for work at the Pittsburgh Aviary in connection with the Shotcrete/Gunite construction; and providing for the payment thereof."

Which was read.

Also,

Bill No. 883

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Peg Strano in the amount of $200.00 in payment for the purchase of birds for display at the Aviary, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 890

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company (Charles A. DiNardo, Vice President), in the amount of Thirty Thousand Seven Hundred Eighty Dollars and Four Cents ($30,780.04), in payment for Extra Work, begin in addition to the original contract price of $428,365.00 on Controller's Contract No. 26517, furnished for the benefit of the City in connection with the Rehabilitation of the 84" Brick Sewer in Heth's Run; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 891

A Resolution entitled, "Resolution providing for the issuance of a warrant to The American Civil Liberties Union, Sam Moore, Barbara Paul, Daniel Milberg, Michael P. Malakoff, Esquire and Rochelle S. Friedman, 508 Law and Finance Building, Pittsburgh, Pennsylvania 15219, in the aggregate total of $7,915.00 representing $7,750.00 in full settlement of this claim for counsel fees and $165.00 for costs, and providing for the payment thereof."

Which was read.

Mr. Givens:

Mike, I'd like my remarks on Bill 891 regarding the obscenity bill to be brought forward for the Municipal Record.

(BEGINNING - MR. GIVENS' REMARKS ON BILL NO. 891 - WEDNESDAY, 6/20/84)

Mr. Givens:

Marvin, how long have you been with the Solicitor's Office?

Mr. Fein:

Eight years.

Mr. Givens:

Sometimes it takes a long time for people to finally get the message. It was about seven years ago from my recollection that we and the Supreme Court, if I can go back a little bit to 1973, indicated to all communities that they can set their community standards and until those community standards are set, the judges have to go according to the law, but once that community sets their standards, then and only then can the courts do it on a local issue as to what those standards are when it comes to questions of pornography. Pornography is like an octopus, it's like a squirming worm, you grab it one place and it comes out in another place and as a result it gets very difficult to try to pin it down.

I am happy and I enjoin the Mayor for doing what he is doing on that particular magazine which I won't even need to mention. Even to get a copy of it to see what it's all about is just aiding and abetting out of that particular unit.

This is not the only magazine put out on the market. There are many, many much worse than this one. There are agencies and groups that are permitted to upgrading our community standards and until the people themselves act, until their community, only then will the courts respond because the courts will respond because the judges are elected, and I would think as the consciousness of the people are raised, so will be that of those seeking judgeships because those questions will be asked very sternly.

It gets into the roots of what happens when I came onto this Council and knowing what pornography was doing to both the women, both the men and themselves that were looking at it, predominantly it's a man's audience, it was a man's audience, but even worse what it was doing to children, it has surfaced within the last year or two, it's just amazing that people don't have a little bit of foresight to see that it has to stop. It was interesting to note though, Marvin, while you were still as a solicitor and I think you were on the case when this Council put forward some seven years ago those same community standards predicated on the Supreme Court and this Council had to override the present administration's veto of that because it was going to go into court and be defeated as this might go to court and be defeated and we'd have to pay court costs and everything else. Oh, how much easier my life would have been if seven years ago some people had been listening to a few of us on this Council because now we can see the effects of what this pornography has done and what this smut has done to our society. And it's not only Downtown on Liberty Avenue; it's not only on the bookshelves, but it is also in our cable television networks and even filtering down a little bit further into the major networks where programs are being shown that are intimidating to our children and I say children because they are the ones affected more than the adults are and I am happy in enjoining the Mayor anytime he wants to go out and sue anybody. I would think that any contributions that would come in, would not come in to pay this bill. The taxpayers of the City of Pittsburgh support the Mayor 100 percent with the exception of a few. Those few can go off into whatever hellhole they want to go to, to look at whatever they want to

look at; we're not going to infringe upon their liberties, but when they try to infringe upon our liberties by showing this openly in the newsstands where children and other people go even if they put a cover over the front, then I think this is something that this community does not want and hopefully this is only the beginning of a real crackdown on what this community and what our voters and what our people want. Thank you.

(END - MR. GIVENS' REMARKS ON BILL NO. 891 - WEDNESDAY, 6/20/84)

Mr. Grabowski:

Mr. President, I would like to make a comment regarding Bill 891. That's the legislation that's before us relative to the Hustler matter.

Undoubtedly, the whole issue has received considerable attention and I guess the bottom line is, did the Mayor act in what he believed to be the good of the citizens or did he have ulterior motives. I personally believe the Mayor acted on behalf of the citizens and in this regard, one thing that we can't lose sight of is the fact that we are all elected officials and all the actions that we take do have political overtones, whether they be negative or positive. I guess that's a feature inherent in democracy and it's probably a safeguard of government. If we do anything wrong, you know, every year is an election year and I'm sure that the citizens will let us know.

With regard to Bill 891, I think the Mayor acted properly and the money is being spent in a noble way and I vote aye on all bills.

Michelle Madoff:

On Bill 891 I vote no and I would like to explain my vote. I believe that the issue that the Mayor moved with stormtrooper tactics to remove from the stands is obscene, vulgar, and if I had it in my house, while I do not believe in book burnings, I probably would burn it. I believe it defames women; I think it is the lowest of low. However, I would like to remind this body that we are supposedly elected to be law-abiding citizens and it is important to point out that this Council, long before the Administration stormtrooped its way in the third paragraph of a threatening letter into the places where the books were being sold, had already established community standards. And based on community standards, had the Mayor taken the proper procedure, I would be here voting to pay the Mayor his costs or the costs for the $7,000 approximately, in losing the case against the American Civil Liberties.

We have community standards, we have a legal procedure. I am not voting for obscenity; I am voting against stormtrooper tactics, I am voting against not following the law. Let me give you an example. If someone were to go over to Mr. Stone when he leaves today to go to the parking lot or to go to one of the judges who are afraid of parking somewhere out of the way, and were to beat him up just a little bit, he had a slight concussion, ripped his suit, maybe broke his glasses, whatever, and the damages came to $800 and he was out sick for a day, and we took the position, knowing who the criminal was, that we should not sue because in suing that criminal it would cost $50,000. I don't think the dollars are the issue; the issue is a legal procedure. We don't let criminals off the street because they robbed somebody and just maybe gone into a liquor store and pointed a gun at somebody and frightened them and maybe broke a couple of bottles and scared somebody and said, "Well, it only cost $2,000; we're not going to spend

$25,000 or $50,000 to have the police out finding this person and therefore, it's cheaper to just let him go." I realize that plea bargaining is part of that and it's not the best part of our law; it's done because the courts are just so filled.

What the Mayor in essence is saying, by virtue of having his mouthpiece, Marv Fein, here, was to say, "I am a good guy. I know that the courts would find this particular piece of literature obscene." — it would meet what Council has established as being offensive to community standards and he would have won the case — "but I'll tell you what I'm going to do; I'm going to be a good guy. I'm going to save the citizens money so I'm going to stormtroop it." Now, that is not the kind of thing that responsible elected officials should be condoning because the next thing you're going to see is somebody on the Hill selling drugs to kids and they're going to say, "Well, it costs too much to go after them; he only sold them a small little quantity of drugs so we're not going to do it that wav. We'll just go over him, we'll take a knife and stab the guy because that will save us a lot of money."

The issue here was that the Mayor did not do it in a legal, orderly, fashion. That's why I believe the courts ruled against him. The question of whether it defies community standards would have been established, I think, but by condoning that kind of procedure by the Mayor or by the President of Council or bv anv other member, would be supporting breaking the law. I don't believe that as an attorney that Mr. Stone would have gone and taken the same route. He can speak for himself but I don't believe any responsible attorney would do that.

The question is not whether that magazine is immoral because the next issue I think was worse. The question is not even so much that the Mayor helped sell more copies and they became collectors' items. That can't be helped because even if we had gone the route of community standards, I think that would have happened. But for the Mayor to send a mouthpiece to us and say to us, "The reason we violated the law, the reason we didn't go the route that Mr. Woods set up in this Council, and Mr. Givens, by setting community standards, is because we did it cheaper. We got a bargain rate for the taxpayers."

Mr. Givens:

You never voted for that either, Michelle.

Michelle Madoff:

Yes I did, Mr. Givens. Would you care to apologize? There was one vote against it and that vote was Mr. Flaherty. I voted for setting community standards. Would you care to apologize?

The Chair:

Let's go back and you can complete your remarks.

Michelle Madoff:

The point I'm making again is that the issue before us now, in voting for this money, is that it was done illegally. A mayor should not do things illegally; he should not set illegal standards because, indeed, if the Mayor is going to be paid his $7,000 for his procedure, then Michelle Madoff has a resolution asking that when four or five members of this Council wanted a fiscal advisor and we went to court and I absorbed the costs of that, then I would like to be paid for that as well. You cannot have one rule for one person and another rule for someone else. If we're going to pay the cost out

of taxpayers' dollars for the Mayor then you're going to pay the cost for Michelle Madoff trying to get a fiscal advisor for this Council. I did it the legal way; I did not have the votes so I paid it out of my own pocket. I'm asking the Mayor to pay it out of his political fund which is vast. It is a political fund geared to run for Governor. It is probably close to $1 million; $7,000 is a pittance. Seventy-thousand wouldn't have offended the taxpayers; I probably would have chipped in on it if it had been done legally.

Thank you and I vote no.

Mr. O'Malley:

On Bill 891, I would like to have my remarks from Wednesday brought forward.

(BEGINNING - MR. O'MALLEY'S REMARKS ON BILL NO. 891 - WEDNESDAY, 6/20/84)

Mr. O'Malley:

Pertaining to Bill No. 891, I would like to read the letter of April 17, 1984. It's from Mayor Caliguiri, Mayor, City of Pittsburgh, and it's to all magazine and news dealers.

"I have been informed of the content of this month's edition of Hustler magazine and am outraged that a publisher would distribute so offensive and distasteful a magazine especially during this religious season.

In other cities, news dealers have voluntarily refused to sell this edition of Hustler. As a sign of your commitments to this City and its citizens, I urge every business person who sells Hustler to immediately remove the so-called Easter Edition from their shelves and send all copies to the publisher or distributor.

Your cooperation will eliminate the need for all the City to engage in a massive sweep of all newsstands and stores and the initiation of criminal proceedings under the State or Local Obscenity Laws against all those who persist in selling this magazine.

Very truly yours,

Richard S. Caliguiri
Mayor
City of Pittsburgh"

By this letter here, it's evident to me that the Mayor tried to avoid a lawsuit when he asked voluntarily for the distributors of the stores to remove the magazine. I think it was the Civil Liberties Union who initiated the lawsuit against the Mayor and I think this Council has an obligation and the right to support the Mayor of the City of Pittsburgh on what we consider decent community standards. So, I make a motion to approve Bill No. 891.

(END - MR. O'MALLEY'S REMARKS ON BILL 891 - WEDNESDAY, 6/20/84)

The Chair:

I would like my remarks on 891 brought forward.

(BEGINNING - MR. STONE'S REMARKS ON BILL NO. 891 - WEDNESDAY, 6/20/84)

Mr. Stone:

Mr. Chairman, if I may. Relative to the matter before us, I would like to say at the outset that I believe in the freedom of speech and I believe in all constitutional rights that are given to us all as citizens. I do not believe that we should too lightly attempt to restrict those freedoms; however, I believe there is another issue that comes to fore at

this particular time and that is the balance of your rights with my rights. It is my belief that you can or can't say anything or do anything that you want, but I do not believe that the Constitution of the United States and of this Commonwealth or the mores or the laws and ordinances of this City should permit an intentional, malicious, degregating, provocatory acts on someone else's rights and obligations. No one requests you to like, to favor, to subscribe or support my religion or anything else that I support nor does it require me to support yours, but this kind of provocatory action, even beyond the publisher's norm and at the highest time of a religious holiday, in a most degrading way for no other intent, not even for expression of that freedom that they claim they were expressing, but rather to intentionally bring scorn, belittlement and ridicule to those who believe other than the publisher. This definitely needed some control or some act or if nothing else some voice as the Mayor to show our objection to this basic infringement of someone else's right. The Mayor should be commended and not belittled. The Mayor should be commended and not taken to task. The Mayor should be commended and not be accused of some reason other than a worthy reason. He acted within the best interest of this City and its citizens; he acted on behalf of the City and it was a City responsibility, not his responsibility and it's not the responsibility of donors either. How much is a principle worth, how much is a right worth? Seven thousand five hundred dollars ($7,500) to me is a small sum to protect and let people clearly understand that the constitution guaranteed to all of us is a constitutional right of speech, but it did not guarantee the right to abuse, belittle, ridicule, be derogatory, provocatory on anyone else's rights when you know it's going to do it and I think somewhere there needs some control. I hope it doesn't go any further than stop it, but let's always protect our rights but not in this fashion. I commend the Mayor and as I made the motion, I move for adoption again.

(END - MR. STONE'S REMARKS ON BILL NO. 891 - WEDNESDAY, 6/20/84)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Wagner
Mr. Grabowski	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES 1

(MICHELLE MADOFF VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 892

A Resolution entitled, "Resolution repealing Resolutions, approved on various dates, for sale of properties in various wards. Resolution is to cancel sales and forfeit the hand money as purchasers have failed to comply with the Agreement of Sale."

Which was read.

Also,

Bill No. 893

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

The Chair:

I have to attend an SPRPC meeting up in Armstrong County and I'm a little late now. Mr. Woods will preside.

Michelle Madoff:

While you're doing that do you think you can get some of the roads open in the City? Do you think you can get SPRPC to open some roads and get the Port Authority not to shut us all down at once?

The Chair:

You give me a splendid opportunity to say that it's because of my vote that we get 58 percent of the money in the region.

Michelle Madoff:

You're to be commended. Now can you carry that a little step further and open up some of our roads? It's a disgrace that the whole city was shut down at once.

Mr. Givens presented

Bill No. 964

Report of the Committee on Public Works for June 20, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 870

A Resolution entitled, "Resolution granting unto Pizza Hut Incorporated their successors and assigns, the privilege and license to construct, maintain and use at its/his/her/their own cost and expense, an Electrical Vault in a portion of the sidewalk at 430 Wood Street in the 1st Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 871

A Resolution entitled, "Resolution granting unto (GTE) Sprint, their administrators and assigns, the privilege

and license to construct, maintain and use at its own cost and expense, an Electrical Vault in a portion of the sidewalk of The Chamber of Commerce Building in the 2nd Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 872

A Resolution entitled, "Resolution granting unto Warner Center, their administrators and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a sign above a portion of the sidewalk of 332 Fifth Avenue in the 2nd Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 873

A Resolution entitled, "Resolution granting unto the U.S. Veteran's Administration (Oakland), their administrators and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an easement for electrical conduit in a portion of the sidewalk of Brackenridge Street in the 5th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 874

A Resolution entitled, "Resolution granting unto J.B. Winberie, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a canopy over on a portion of the sidewalk of 738 Bellefonte Street, in the 7th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 875

A Resolution entitled, "Resolution vacating Idaho Way from Nebo Street to Josephine Street, Neffle Way from Nebo Street to Josephine Street, Vonark Way from Nebo Street to Josephine Street and Nebo Street from the westerly line of Idaho Way to the easterly line of Vonark Way, in the 16th Ward of the City of Pittsburgh."

Which was read.

Mr. Wagner:

On Bill No. 875, I'd like to ask the City Clerk what the cost of the vacation of those streets is.

Mr. Perry:

Thirty-five thousand six hundred and eighty-six dollars.

Mr. Wagner:

Okay, that's in the Record. Thank you.

The Chair, Pro tem:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't Pro tem)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 965

Report of the Committee on General Services for June 20, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 884

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts for the furnishing and delivery of play equipment for the Bureau of Maintenance, Department of Parks and Recreation, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't Pro tem)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

Bill No. 966

Report of the Committee on Parks and Recreation for June 20, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 885

A Resolution entitled, "Resolution changing the name of Herron Hill Reservoir in the 5th Ward of the City of Pittsburgh to Robert A. Williams Memorial Park." **—(SPONSORED BY MRS. MASLOFF)**

Which was read.

Michelle Madoff:

Mr. Chairman, I would just like to comment on Sophie's bill, 885, the renaming of the Herron Hill Reservoir which I think is a superb idea, to honor somebody of the caliber, I think was one of our first black elected officials. The bill was brought to Council by Mr. Zack Winston and I would just like to give him a little kudo for bringing it to our

attention.

Also,

Bill No. 886

A Resolution entitled, "Resolution authorizing the Director of the Department of Parks and Recreation to enter into a License Agreement with Tams-Witmark Music Library, Incorporated."

Which was read.

Also,

Bill No. 907

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Sounds of Heritage, Incorporated for professional services during 1984 and providing for the payment of the cost which is not to exceed $6,000.00 and is chargeable to and payable from Code Account 1838, Recreation Activities, Miscellaneous Services, in the Department of Parks and Recreation, and transferring $6,000.00 from Code Account 10, Accounts Payable Prior Years to Code Account 1838, Miscellaneous Services, Department of Parks and Recreation." **—(SPONSORED BY MR. ROBINSON)**

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't Pro tem)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Givens:

There's a letter that came out from Bill Robinson some weeks ago, June 15th, I believe, asking all the Councilmembers to be here Wednesday at 2:00. That was prior to you coming out, Mr. Chairman, and making new arrangements on our Wednesday meeting. Is Bill Robinson in town?

Mr. Perry:

Bill's out of town but will be back Wednesday morning.

Mr. Givens:

Okay. I was going to try to say that if we're here tomorrow then that would be an appropriate time to have this particular agenda. Otherwise, we'd have to be back in here Wednesday with all that dust flying around.

The Chair, Pro tem:

We'll get it straightened out.

Michelle Madoff:

Mr. Chairman, I have some very serious issue to bring before Council but I need some clarification first of all.

Mr. Perry, when we have a post agenda, how do you notify Councilmembers that there will be a post agenda?

Mr. Perry:

Through the mail.

Michelle Madoff:

How early is that mail sent out?

Mr. Perry:

If a Councilmember instructs me to set up a post, as soon as I type up and post —

Michelle Madoff:

Sometimes, because of your workload, you don't get to it until later in the week. Is that correct?

Mr. Perry:

You give it to me one day and the next day they have it.

Michelle Madoff:

The reason I say that, it was probably our own fault in our own office because of a voluminous amount of work. For example, the hearing on the firemen the other day, I didn't really know about it until I had the post agenda before me. It may have been lost in a bundle of papers in our office and I'm not being critical but I just wondered how soon the procedure was.

Mr. Perry:

I was informed late Monday afternoon about a post for that Wednesday and then Tuesday it was cancelled. The post agenda was actually cancelled.

Michelle Madoff:

So then it was on again when?

Mr. Perry:

It was not on.

Michelle Madoff:

We had it.

The Chair, Pro tem:

What happened is, they were here, they didn't get notified, the members didn't get notified that it was cancelled so we heard them.

Michelle Madoff:

So, in other words, as a courtesy we had it anyway.

The Chair, Pro tem:

Right.

Michelle Madoff:

I apologize to my staff because they told me that and I wasn't sure. I owe them a deep apology.

Now, I brought an issue up last week and I was told by the Chairman, that was you, Mr. Woods, that I should present a resolution before Council. This is one of the lesser important issues.

Michelle Madoff presents

Bill No. 971 BE IT RESOLVED, that the Members of Pittsburgh City Council hereby authorize the services of an outside attorney or legal firm for the purpose of providing Council with a legal opinion as to whether or not Councilwoman Michelle Madoff can be reimbursed by the City of Pittsburgh for

costs she incurred in filing suit against Pittsburgh City Council for their failure to authorize the hiring of a fiscal advisor for Council.

Michelle Madoff moved to approve the resolution.

Michelle Madoff:

If we're going to pay the Mayor's bill, and that passed, do I get paid? Could I please have a ruling?

The Chair, Pro tem:

Are you offering that as a resolution?

Michelle Madoff:

Yes, but I do not want a legal opinion from the Mayor's Law Department; I want it from one of our own attorneys.

Mr. Givens:

If it involves money, should that not be put in Committee and be discussed?

Michelle Madoff:

I offered it at the Finance Meeting and the Finance Chairman told me to bring it up today. This could happen to any one of us at any time. You would pay for something that the Mayor wants but not for something that this Council wants.

The Chair, Pro tem:

Michelle, are you offering this as a resolution or a bill in Council?

Michelle Madoff:

I'm offering it as a resolution that what we do is get our own counsel, which means we need five votes, to see whether I'm legally entitled to be reimbursed.

The Chair, Pro tem:

Is there a second to the resolution?

Mr. Givens:

I'll second it.

The Chair, Pro tem:

I would like to speak in favor of my resolution.

This could happen to anv member of Council. If the independent, impartial attorney says that we are not entitled to be reimbursed, then we would not be reimbursed. It was a four to five motion. As you know, we're going down to Baltimore now on the 19th and hopefully you will be as impressed as I hope I will be and we will come back and push for having a fiscal advisor.

But meanwhile, that was money out of my pocket and I did it in the legal, authorized manner. I did not stormtrooper my way. If we're going to pay the Mayor's Hustler bill, would you consider having an attorney advise whether my bills can be paid for the same kind of thing, for this legal action.

Mr. O'Malley:

I'm not quite sure I understand this but as the resolution reads, it says, "Be it resolved that the members of Pittsburgh City Council hereby authorize the services of an outside attorney or legal firm for the purpose of providing Council with a legal opinion as to whether or not Councilwoman Michelle Madoff can be reimbursed by the City of

Pittsburgh for costs she incurred in filing a lawsuit against Pittsburgh City Council" which is ourselves, "for the failure to authorized the hiring of a fiscal advisor.

If I read this right, the first resolution that Michelle put up, she wanted the majority of the members of this Council to authorize the hiring of an attorney so that we can sue ourselves which we denied by a five-four vote. We already said, "No, Michelle, we don't want you to hire an attorney" —

Michelle Madoff:

No, no. Three out of four agreed to hire an attorney. You were not here.

The Chair, Pro tem:

Michelle, let him finish then you can speak again.

Mr. O'Malley:

If I understand, this Council must have a majority of five votes for any legal action. This Council denied Mrs. Madoff and three of her colleagues the right to go out and hire an attorney to sue ourselves. This is becoming a little redundan for the second time to bring it in front of this attorney to ask a legal opinion on an opinion which this Council already denied once.

Michelle Madoff:

May I respond? This Council voted four-five and the makeup of this Council was different at the time as to whether we need a fiscal analyst or advisor for this Council. What I'm saying is if you're going to pay the Mayor for his legal cost, then I think I'm entitled, or Mr. Woods or Mr. Wagner, anybody else, if members of this Council feel they're doing the right thing as elected officials on behalf of the public and I think what I hear Mr. O'Malley saying is that since five people are supporting the Mayor, he should then get paid for what I consider an illegal action but because I acted on behalf of the people, if I don't have five votes of this Council, I should not be paid.

Maybe what I have to do is reword it, make it as a floor motion, and reword it saying, since there's a new makeup of this Council, that I went to Court to try to get a fiscal advisor. It cost me, I'm not sure of the exact figure, I think about $350 and I can supply the bills. Can I be reimbursed for that money and would Council, therefore, without having to hire a legal opinion, vote me to reimburse me my $350. Do we have five votes to reimburse me? That would be my floor motion.

The Chair, Pro tem:

I personally, for two reasons I'm going to vote no; one is because you named me as one of the defendants in the lawsuit —

Michelle Madoff:

No, you were not one of the defendants.

The Chair, Pro tem:

Yes, I was. I was one of the five members of Council —

Michelle Madoff:

You were against it; you were not for it.

The Chair, Pro tem:

Secondly, every time one of us in Council voted a piece of legislation and it fails, that means that we're going to

go out and sue our colleagues because they failed to support our legislation. We could be going through this week in and week out. That's exactly what you've done and a few of our other colleagues, at the time, that signed that lawsuit. That's why I feel it's totally wrong.

Michelle Madoff:

The courts ruled that we are a body unto ourselves. Sylvestri Sylvestri felt that we were a legal body. First of all, as you know, he wouldn't touch the case before the election; he was very smart and let it go until after the election which I think was the proper thing to do. It was the concerted opinion of my attorney that had we gone and appealed it we would have won it because if not, we would still have young kids in sweatshops and we would still have minorities at the back of the bus. It is inconceivable in the year of the Lord, 1984, that we still rely on the Administration as a separate legislative body. They're an administrative body and we're a legislative body. For every vote that we take we rely basically on the information supplied by the Administration. This was not a frivolous piece of legislation; five people voted with the Administration, four people voted against, decided to take it to court and it cost money. I went the legal route.

All I'm saying is if you're going to pay the Mayor, which is illegal to do, you're voting for an illegal payment because he did not follow the procedure, even though I followed the procedure shouldn't I be paid? I'm making a point by saying that.

The Chair, Pro tem:

Right. And I disagree with your point because it's a different subject altogether.

Mr. Givens:

On this particular subject, Mr. Chairman, back in those days when this Council kind of worked a little bit more closely together, there was a fund there and that fund still remains and — What's the name of that fund, Mike?

Mr. Perry:

Legal Advisor in the amount of $5,000.

Mr. Givens:

The amount of $5,000 is in there and all it took then was for members to go before the President of Council and ask that they were going to take a certain action. I think we have to have the freedom and liberty right here to pursue any quest that we might feel necessary on behalf of the citizens of the City of Pittsburgh. It went from that particular set of order of just going to the President of Council to requiring five votes. Well, you can see that there's five votes in this Council quite often and it's the same people all the time. So, four people then could be theoretically shut out of this Council in any legal battles and for that reason that's why I seconded Michelle's motion.

On that particular issue of the consultant to come in here, I voted against it for many years because I feel that's why I'm elected and with the abilities that I have I should be able to look into budgetary and bonding type issues and get that information I need. If I have to go outside to receive additional information then I will so seek that bonding or legal service. I think Michelle or any Councilperson is entitled to do that up to the $5,000 limit we have and that one person not completely take all

that amount of money. And then it came into this five votes so I feel by doing it with five votes we're denying some people of Council and I feel that's unfair and not only unfair but to some degree I feel it's unconstitutional. If that fund is not there, fine. But we put that fund there so we could go out on an individual basis and seek our own legal advice. Legal advice is what it was. Sued is kind of a different horse. I don't know if that suit came in before or after I voted for or against that particular issue but I think she has a legitimate question, she was in pursuit of something that she felt was of a great concern to her and to the taxpayers of the City of Pittsburgh.

The Chair, Pro tem:

Let me explain this one more time. You don't really understand what's happening. Last year or the year before last, this Council voted against a financial advisor. Against. Michelle Madoff and four out of five did not like that decision. The vote was five-four. So those four went and filed suit in court and said, "Hey, we want to overturn what Council just did." Now she's coming back to ask us, this Council, to pay for that lawsuit. That is totally ridiculous because the next time that you vote against something that Ben Woods wants in this Council, I'm going to go out and file a lawsuit against my colleages and you will pay for it. Is that what you want? Then every week we're going to be in some court. You cannot be suing yourself.

Mr. O'Malley:

Mr. Givens, let me explain the idea of that code account. This Council has the right to hire an outside legal opinion only if the majority of five members of this Council agree to that. If Mr. Wagner and Mr. Grabowski wanted an outside legal opinion, they'd have to present the legislation, the majority of the members of this Council would have to give their approval for the expenditure of those funds. Mrs. Madoff asked that and the majority of the members of this Council denied those funds.

The Chair, Pro tem:

For what? Not for a legal opinion —

Mr. O'Malley:

To hire an attorney to sue ourselves. That's a little ridiculous.

The Chair, Pro tem:

For a financial analyst. This Council denied it so Michelle and a few of our other colleagues went out and sued it because we denied it.

If I put a piece of legislation up and I just proposed a piece, and you vote that down two weeks, I don't like the way you voted so I go out and sue all of you. Then I come back and say to my colleagues, "Here is a bill because I sued you for $400; would you please pay my bill?" Does that make sense?

Michelle Madoff:

May I respond to that, Mr. Woods? If you went out and took a knife to Mr. Wagner and slashed his arms and this Council voted to poo-poo it because he was only surfacely scratched and at a vote of four to five said that we should not, because it happened in the Chambers and it was an act in this Council, that we should not pay him the damages, maybe he provoked you, what have you, therefore, because of the majority vote of five to four you'd say we shouldn't pay it.

What I'm doing is, I don't want the money back, I hope everybody understands. My motion is not to get the money back; my motion is only to point out that the Mayor did an illegal thing and five members of this Council are supporting an illegal motion by paying him $7,000 in a lawsuite that he lost. He lost the lawsuit and you've voting five to pay him his money.

Mr. O'Malley:

Call the vote.

Michelle Madoff:

Don't call the vote; I've made my point. I just wanted to point out how ludicrous and how wrong it is for us to vote for that bill.

You don't have to vote on it; I withdraw my motion. I wanted to make a point.

The Chair, Pro tem:

Do you withdraw your second, Mr. Givens?

Mr. Givens:

Yes.

Michelle Madoff:

I think it's a sad day for this country, Mr. O'Malley, when people running for office support illegal actions. What the Mayor did was illegal. He lost the case in court yet we're voting to pay for it. I don't think it's funny; I think it's obscene and I think it's immoral and I think the issue is dead so let's go on with other issues.

On another item. I wrote a letter to Mr. Stone and to Councilwoman Sophie Masloff because it's her department and I want this letter entered for the record.

"Dear Mrs. Masloff:

Section 16.1 of the Franchise Agreement between Warner Cable and the City of Pittsburgh calls for Warner Cable to be connected to all residents of the City without exception and certified as acceptable by the Public Works Department by August 25, 1984. It is common knowledge that many problem areas have not been connected as they were deferred until the more easily accessible connections were completed.

I believe it is premature for Council and the Administration to be considering any other alternatives, be they between Warner, TCI or any other entity until all residents without exception have been hooked up to the cable system. To do otherwise would almost certainly guarantee that many residents will never be hooked up to cable."

Those are the people who have been calling the Councilmembers sitting at this table. That's the Downtown area and those are the people that are underground, the only way they can reach them. Those are the people where somebody is saying, "You can't go through my property." and those are the people calling me every day.

"If there is to be a default on the part of Warner in meeting it's obligation or new negotiations presented to Council, it should not be done until after August 25, 1984. I've spoken to Brother Richard, he expatiated this information for me. I personally will not be a party to violation of the contractual oaths entered into between Warner and the City prior to Warner meeting it's moral and legal obligation by the contracted date of August 25, 1984. To proceed

otherwise would not be in the best interest of the people who elected us.

I respectfully suggest this matter be deferred until September, 1984."

That means that the hearing tomorrow where TCI is going to proceed to tell us how they're going to pay for it — I called TCI and spoke to Gil Lucas and do you know what his answer was? "As far as I know, Michelle, we are 'substantially' connected." Remember that word, folks; it's going to come up to haunt us. I asked him whether TCI was going to complete the unsubstantiated and he said there was no guarantee of that.

For us to consider anything when the contract drew a date for a four year contract of hooking up every source is completed by August 25th is illegal, immoral and I personally will not be a party to it. I do not want to hear about selling it, I don't want to hear about buying it because what we're going to do is we're going to force Warner if they're already on the hook for $98 million, maybe it will be on the hook for $120 million. But at least everybody will be connected and then if they want to sell it and save what they can, they can come back to this Council. But we should not consider it before August 25th and I make that in the form of a motion. May I have a second?

The Chair, Pro tem:

No second? The motion dies.

Michelle Madoff:

I want that on the Record. Do not invite me to be party to this illegal action before August 25th. I will not be present when Warner is here or TCI.

Next item. There's a gentleman in the audience today, a Mr. Klein, and he has a letter that I distributed to everybody. His name is Joel Klein and I want to read you this letter because it is of very significant importance with relationship to the situation we have with our police department. As you know, I pointed out last week that we have, according to the Administration, 1,248 uniformed officers on the force and it turns out that we only had 1,046 officers and they included that 1,046, desk people, inspectors, superintendents, supervisory personnel, administrative personnel, in-station men assigned to each of the nine stations, community relations personnel, training personnel and specialized detectives, narcs, burglary, vice, auto squad, bomb, arson, crime lab, homocide, missing persons, youth and sex assaults. That means that we probably did not have more than 800 or 900 police, beat people, out working for the police force.

Every member of this Council has been concerned about the test on the psychological testing and on the fact that our police are not being hired when they've had really some specific training at police academies and so on. We've agreed we don't have enough police. We've agreed with the fact that while we put on 40 or 46 we lose 52 or 56 by attrition. So not only when we put on a class are we even gaining those 40 officers but we're losing more because we lose by attrition.

I would like to read you a very important letter. As a matter of fact, I would like if Mike would read the letter because my voice is bothering me. Would you read the letter for me?

Mr. Perry:

June 20, 1984

The Honorable Michelle Madoff
Councilwoman, City of Pittsburgh
City-County Building
Pittsburgh, PA 15219

Dear Ms. Madoff:

Please be advised that I have been retained by Mr. John Leonard of 1711 Mary Street, Pittsburgh, PA 15203, to assist him in his quest to become a Pittsburgh Policeman. Additionally, my firm's principle office is on the Southside in an area which has already had three fires within one block of it's location. Accordingly, I have a double-barreled interest in the City's police and fire services.

Mr. Leonard successfully passed the Police Officer examination on July 18, 1981 with a score of 98. He was not entitled to receive any Veterans preference points. By letter dated April 21, 1983, Mr. Leonard was advised to proceed with stages 3 and 4 in the selection process. Thereafter, he successfully passed the background investigation and the psychological examination. He was never given the physical examination.

On May 11, 1984, Mr. Leonard retained my services after learning that the City Civil Service Commission intended to withdraw the list of eligibles prior to its normal expiration date of September 30, 1984. The proposed action being predicated upon the depletion of the list of minority females.

On May 15, 1984, I made contact with City Council President Stone's office, but did not actually contact Mr. Stone until May 18, 1984. Mr. Stone assured me that he was in complete support of my client but that the problem was rooted in Judge Gerald Weber's Order mandating quotas for minority and female hiring. Immediately thereafter, I called Judge Weber's office and learned that nothing in the current order was ever designed to force the City to retest all eligibles every time one of the sublists was exhausted. Likewise, if there were any questions about the judge's intentions, all the City had to do was petition the Court for a clarification.

Armed with this information, I called Mayor Caliguiri's office for an appointment. The Mayor's secretary asked me to put my request in writing, which I did on May 18, 1984. I am still waiting for the Mayor's response to my request.

On May 25, 1984, I spoke with Dante Pellegrini, the City Solicitor, and was informed by him that the City had no intention of hiring additional police or firefighters for at least the next six (6) months. During the conversation, Mr. Pellegrini also stated that he could remember nothing in Judge Weber's Order mandating the retesting of all applicants everytime one of the sublists was depleted. Finally, Mr. Pellegrini agreed to send me a copy of Judge Weber's Order as soon as he found one. I am still waiting for the document.

The next round of activities transpired on May 29, 1984, when my client and I attended a public session of the City Civil Service Commission. The Commissioners informed me that the list of minority females, and maybe minority males too, was exhausted. The Commissioners were unable to tell me how many classes of police candidates had been filled from the existing lists since 1981. Nor could they tell me what my client's ranking was on the white male list as of that date. Additionally, when questioned as to why the Commission pulled all lists when ony one was exhausted, they had no answer.

On June 7, 1984, Mr. Leonard and I went to another session of the City Civil Service Commission. At that session I was told that only one (1) class of police officers had been filled since 1981, and that my client stood 17th or higher on the existing list. As for why no one had approached Judge Weber to clarify or modify his Order, Mr. John Bingler, the Commission Chairman, put all blame on the City Council. Finally, in response to my question about what the Commission would do in the future if segments of the list became depleted, Mr. Bingler stated that all lists would probably be pulled, since that was what they had done in the past.

One point that came through loud and clear at both of my meetings with the Civil Service Commission was that it appeared to be the Mayor's intention to reduce the size of both the Police and Fire Departments. Likewise, there would be no hiring of any new personnel unless the Mayor ordered it.

Against this situational background, Mayor Caliguiri recently held a public meeting on the Southside to announce the formation of an Arson Task Force to catch the arsonist who has terrorized the neighborhood. The creation of said task force will necessitate additional overtime for local police officers as well as the transfer of personnel into the Southside thus exacerbating the shortage of police elsewhere in the City.

Clearly, the Mayor's policy on police hiring, coupled with the Civil Service Commission's policy on testing, have created an untenable situation, initially in the Southside, and potentially throughout the City. Your efforts in correcting and publicizing the farce, which we call police and fire protection, will be greatly appreciated.

If I, or Mr. Leonard can be of any assistance to you, please feel free to call us.

Respectfully yours,

Joel A. Klein, Esquire

Michelle Madoff:

The issue, as I understand it, is two-fold. There is a premise that may or may not be legal, Mr. Vice-President, that the Human Relations Board is mandated to throw out all lists in three years. There is also a premise, and I think Mr. Stone has brought it up on many occasions at budget time and with the concurrence of all of Council, that we pay a great deal of money for the psychological and the physical tests. I think the physical tests are over $100 each and you're testing everybody, not just the ones you hire. To get 40 police officers you may be testing 500 or 600 people. We're putting out great sums of money that we could hire for what we're testing. The understanding is that the Human Relations Board is saying we have to throw the lists out when they're three years old if indeed we have depleted minority and female members. It is my understanding from the letter and from what Mr. Klein has told me personally, that the judge has said it is improper for him to give a ruling on the basis of Mr. Woods, Michelle Madoff or Mr. Klein and his client saying, "What does this list mean?" Only at the request of a legal body, in other words, if this Council says to Judge Weber, "Would you please give us a clarification of what you meant by the lists will he clarify the lists?" He may say that at the end of three years all lists should be thrown away. He may say that what I really meant was since it cost so much money of the City taxpayers' dollars and that money is paid for by minorities and women as well as other people, that what we do is just go

out and look for minorities and women to supplement the list and that the list doesn't have to be thrown away in three years.

So, what I'm asking is that this Council petition, because he will not do it, he has stated he will not make a legal ruling for an individual. He will only make it for a body. I am asking this Council to petition Judge Weber to clarify what he means by destroying or keeping the list of white males when other lists are exhausted of females and minorties so that we really are getting the best for our dollar. We're going out and really concentrating on getting minorities and getting women so that we have a broader list to check from and we don't throw away good people like the gentleman sitting here who has a 98 percent score, never was told he was going to be tested. Just because we didn't get around to testing him, he has to go back and be retested and there are a bunch of people coming in on a class action suit. We have to defend ourselves in that suit, we have to pay taxpayers' money to defend that lawsuit. I think it can be avoided by clarificatin by the judge.

I make a motion that we ask the judge for clarification. Do I have a second on that? Nobody wants a clarification of the judge's opinion.

Mr. Givens:

I think we have it right here.

Michelle Madoff:

No, the judge has said that he will not clarify it for anybody but a member. He said that if a member of the body asked — Let me read you this part.

The Chair, Pro tem:

Let Mr. O'Malley make his comments until you find it, Michelle.

Mr. O'Malley:

Michelle brings up a good point but there's one point of confusion here, Michelle. Judge Weber already clarified his statement in his ruling when he says, "Nothing in the current order was ever designated to force the City to retest all eligibles every time one of the sublists was exhausted." That issue has been brought up in this Council many times that when one of the lists was exhausted, why do we have to test everybody? I was always under the impression, even as Chairman of Public Safety, that that was mandated by Judge Weber. Now that I am informed that it is not mandated by Judge Weber, you bring up a very good point. Why do we have to go through the expense of testing thousands of applicants when testing a few hundred would be adequate.

I see no lawsuit here. I think this Council is to commend Mr. Klein for his work. This is an Administrative decision; it should be made by this Council and directed to the Civil Service Commission. As far as Mr. Leonard not being called in for a physical, he was not on the first eligibility list and they only give physicals to those that are qualified for the first list. I'm sure he would have been qualified to go in for a physical for the second group or the second class.

Michelle Madoff:

The list is about to be destroyed.

Mr. O'Malley:

What I would suggest is that Michelle call a post agenda and have Melanie Smith in here and the Civil

Service Commission and get some of this clarified at a post agenda.

Michelle Madoff:

We've done that and I choose not to do that and let me explain why.

On the bottom of the first page it says, "Immediately thereafter I called Judge Weber's office and learned that nothing in the current order was ever designed to force the City to retest all eligibles every time one of those sublists was exhausted." In other words, if you still have minorities by you don't have white males or females, you would just go out for whatever one of the three sections you needed. Likewise, if there were any questions about the judge's intentions, all the City had to do was petition the court for a clarification.

So, what I'm asking you to do is petition the court for a clarification. All it means is that we agree that Mike Perry send a letter, or you send it or somebody send a letter, to the judge saying, "Would you please clarify this section of the letter? Do you mean that the list stays open definitely or do you mean it stays open if you exhaust it?" The first year you keep it open for three years because the Human Relations Board is claiming that at the end of three years they have to throw them away. I don't know who's telling the truth and the only way we're going to find out is clarification of the judge's order.

So, I'm asking you to have the judge clarify that position; he has not clarified it. He told Mr. Klein that he would not do it for a private lawsuit but he would do it for a government body. We are the government body. All I want is clarification.

Mr. Givens:

Michelle, just go over there and he'll throw you out of the judge's chamber. —

Michelle Madoff:

That's right and he has every right to do that. You're right. That's what he's saying. He's saying he needs a petition, he needs the City to petition the court for clarification. I'm asking that the City petition by virtue of a letter for clarification. Is anybody opposed to that?

The Chair, Pro tem:

That's not what I understand.

Mr. Givens:

I have looked at Judge Weber's rule; I think it's very simple. One can logically understand his legal language; I think it's very simple. There's nothing in there that indicates that you have to take the list down once any of the groups, the four groups, male, female, minority and white, are exhausted. There's nothing in his court order that says that. Common sense dictates that you have to retest somebody if the list gets down to where, and it has, in the low seventies.

There are four bills before this Council and the fact that I had become ill last February and was in the hospital for some time and had just come back to this Council, one of the those bills will be untabled tomorrow dealing with Psychological Services and it deals in with this right here and the longest hearing, as Michelle so indicated, the second longest hearing, that we've ever had in this Council was over this particular issue. One of them was psychological testing and it lasted six or

seven hours, if I can recall, where many people had testified of the improprieties, irregularities, and the injustices that have been done to the people that have taken these tests, the Civil Service test, even to the point as we found out last week that the Superintendent or none of the Department Heads even see a test before it is administered, yet they are the ones that have to accept these particular people. One bill will be pulled off tomorrow and that's on psychological retesting. Psychological, just like any other medicine, if you have anything medically wrong with you you can be retested by another doctor of your own choice. I'm saying that this Council should tell Civil Service, likewise, to expand that to psychological services. That will come up for a vote tomorrow, one way or the other.

The others as alluded to right here and how callous as some cases is Civil Service Commission —

Michelle Madoff:

He's not on the issue; can we vote on my issue?

The Chair, Pro tem:

Please, let Mr. Givens talk.

Mr. Givens:

The Civil Service Commission and especially the Civil Service Department, how they are when people go to appeal, even a particular attorney, and how they handled them, I felt, and of course it requires state law to change some of these rules —

Michelle, I don't have your attention.

Michelle Madoff:

Mr. O'Malley was leaving, I need his vote.

The Chair, Pro tem:

Let Mr. Givens speak.

Mr. Givens:

That the Civil Service Commission be expanded; that's another one of those bills. Right now we have three people that are appointed by the Mayor and this Council seconds that appointment. When other people come up I'm going to be very scrutinous. I want to expand that to include both a member from this Council to sit on that Civil Service Commission, as we do the Pension Board which is very vital to all the City employees and also a member from the Controller's Office, the Controller himself, sit on the Civil Service Commission. But that requires state law changes in the Civil Service Act.

The other one was the Superintendent of Police. This individual, Mr. Leonard, went down so far; he passed everything but was never brought before the Superintendent of Police. When he's brought before the Superintendent of Police, he'll receive say 90 names on the list. Only 30 of those can be selected, the others are scratched off. Even though they're the cream of the crop, they are forever eliminated from that Civil Service list for three years or until the next test is given.

Another most important thing was that during that public hearing and ensuing conversations, we asked, and this is for the attorneys and Mr. Leonard, we asked the Civil Service Department as well as the Civil Service Commission not

to take down this list and to notify this Council if that list was even going to come down. I have not received any notification whatsoever and that list should have been remaining up there until September 30th. According to this letter from Klein, Rayl, apparently the list has already been taken down; yet we don't even have another police class ready to go.

What happens if we have a true situation in the City that we have to call up reserves? There's no list even to pick from righ now if in fact they have taken that list down to train these officers and in a very accelerated program and get them onto the streets as quickly as possible.

These are some of the four bills that will come before us and I'm going to handle the bills one per week because I think they're very important and they should be separated and some of them are will of intent of Council to the State Legislative body. So it will just be a yes or no at our Monday's session.

Much of what has been said in this letter deals with the many problems that I think I have been dealing with and other people have been dealing with and I think we'll have an opportunity in the next couple weeks to see how we vote on these issues.

Mr. Grabowski:

I think Councilman O'Malley had an excellent point. Maybe what we should do is bring in Dan Pellegrini and John Bingler. What we have right here is just one man's accounting of this situation and there may be more to it than actually meets the eye. If we could have some of these people in here to discuss it, then I think we should decide whether a petition is warranted and I would not want to vote on this at this time.

Michelle Madoff:

We have done that. The problem is that we don't have Judge Weber here an that the Human Relations Board who is very tight with the Mayor comes in and says it is the position of the Human Relations Board that any three year old list should be thrown out then that's one opinion. What we need right now, as the judge has stated, is clarification of what he meant when a list is three years old. That's all I'm asking for. Then we can have the Human Relations Board in and say why are you throwing the list out in three years. You can't petition the judge to come here; he's not going to come here. Mr. Bingler will say, "We've always thrown them out in three years." I want to know what the judge says. Do we have to throw them out in three year? That's all I'm asking. Clarification.

Mr. O'Malley:

In support of Michelle Madoff's position on this, this letter for clarification from this Council by Judge Weber, all this letter says, Ben, is I called Judge Weber's office and this is from the attorney Joel Klein, "I called Judge Weber's office and learned that nothing in the current order was ever designed to force the City to retest all eligibles."

We have nothing in writing and I wouldn't proceed any further on this issue until we get something in writing from Judge Weber. Once we have the clarification from Judge Weber, then we can have the post agenda with Melanie Smith and the Civil Service to find out their position and why.

Michelle Madoff:

All I want is clarification from

the judge.

The Chair, Pro tem:

All in favor of petitioning Judge Weber's clarification of his order vote aye.

Opposed?

Mr. Grabowski:

Opposed.

Which motion prevailed.

Mr. Wagner moved to excuse Mr. Robinson for absence from the meeting.

Michelle Madoff seconded the motion.

Which motion prevailed.

And on the motion of **Mr. O'Malley**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, July 2, 1984 No. 27

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, July 2, 1984

PRESENT:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

ABSENT:

Michelle Madoff

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mrs. Masloff and Mr. Wagner present

Bill No. 993 WHEREAS, Allderdice High School baseball team ended its brilliant 1984 season with a record of 22 wins and only 5 losses, and a prestigious 3rd place finish at the Class AAA State Championship; and

WHEREAS, the Allderdice "Dragons" soundly defeated Schenley High School by a score of 9-0 to capture the City League Championship; and

WHEREAS, the "Dragons" collected 10 hits against Shaler High School's highly touted pitching staff in defeating them by a score of 9-3 for a victory in the Pennsylvania Interscholastic Athletic Association Class AAA Quarterfinals, earning them their 2nd consecutive trip to the State Semi-finals; and

WHEREAS, although the "Dragons" did not participate in the finals, they can point with pride the outstanding baseball talent they displayed in their 11-6 consolation game victory over Coughlin High School, who were regarded by many as the top offensive club in the entire state; and

WHEREAS, the captains of this great Allderdice team are Tony Dugas, Paul Sobosaly, Al Henderson, who was named to the Pittsburgh Post Gazette's all-area team, and Tom Johnson, also named to the Post's all-area team, and who signed a major league contract with the Kansas City Royals; and

WHEREAS, the Allderdice "Dragons" through their dazzling baseball skills and outstanding team spirit, have brought honor and prestige not only to themselves, but to the City of Pittsburgh.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City Council, hereby recognized and commend the Allderdice High School "Dragons" baseball team, Head Coach Jim Dunlap, Assistant Coach Rick DeSano, and Athletic Director Richard Lunn, for their brilliant display of baseball skills during the 1984 season, which has brought honor and prestige to the entire City of Pittsburgh.

Mr. Wagner moved to adopt the resolution

Mr. Givens seconded the motion.

Which motion prevailed.

Mrs. Masloff:

Mr. Lunn, will you please come forward and accept the gold seal resolutions and ask one captain to come with you?

Tony Dugas:

Thank you for this award. It's really nice to play in a City of Pittsburgh league. We played hard all season and I think we deserve this. Thank you.

Mr. Lunn:

I'd like to thank the Mayor and City Council for honoring our baseball team. As Tony said, it's nice to represent the City of Pittsburgh statewide. Thank you.

The Chair:

There's an old saying that says that it's unimportant that you win but that you participate but I think there's an added joy if you happen to be participating to be the winners. Congratulations.

Mr. Givens presented

No. 972 Resolution providing for a Contract or Contracts or the use of existing Contracts for equipment, services and supplies for the relocation and permanent installation of the Government Communications Cable Television Production Facilities, 9th Floor, City-County Building, at a cost not to exceed $296,000.000 chargeable to and payable from the Community Communications Trust Fund, Code Account CC, Dept. of Public Works, Bureau of Cable Communications, Index No. 250555.

Also,

No. 973 Communication from Louis .R. Gaetano, Director, Dept. of Public Works, requesting authorization for himself to attend the 1984 APWA/ISWA International Congress and Equipment Show in Philadelphia, PA from Sept. 15-17, 1984, at a cost not to exceed $800.00 payable from Code Account 1502, Misc. Services, Director's Office, Dept. of Public Works. The purpose of this seminar is to observe new ideas and techniques dealing with maintenance and the operation of Public Works.

Which were read and referred to the Committee on Public Works.

Mrs. Masloff presented

No. 974 Resolution providing for an Agreement or Agreements with

Homewood-Brushton Athletic Association for professional services in connection with their 1984 Baseball Program, at a cost not to exceed $5,000.00 chargeable to and payable from Code Account No. 1838, (Index Code 183806), Misc. Services, Dept. of Parks and Recreation; and transferring the sum of $5,000.00 from Code Account 10, (Index Code 001008) Accounts Payable-Prior Years, to Code Account 1838, (Index Code 183806) Misc. Services, Dept. of Parks and Recreation. —**(SPONSORED BY MR. ROBINSON AND MRS. MASLOFF)**

Which was read and referred to the Committee on Parks and Recreation.

Mrs. Masloff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on Monday's agenda.

Mr. Givens seconded the motion.

Which motion prevailed.

Mr. O'Malley presented

No. 975 Resolution providing for the issuance of a warrant in favor of the Air and Power Service Company, in the amount of $805.00, for repairing and replacing the air conditioner in the Criminal Identification Computer, chargeable to and payable from the City-County Integrated Identification System Project (C-CIISP) Special Trust Fund No. 2.

Also,

No. 976 Resolution providing for the issuance of a warrant in favor of Mine Safety Appliance Company, 600 Penn Center Boulevard, Pgh., PA 15235, in the amount of $13,283.10, in payment of 18 MSA Pressure Demand Air Masks less 18 trade-ins, for the Dept. of Fire, chargeable to and payable from Code Account No. 1468, Index No. 146803, Equipment,

Also,

No. 977 Resolution transferring the sum of $10,000.00 from Code Account No. 1463, Index No. 146308, Misc. Services and Repairs, to Code Account No. 1464, 146407, Supplies and Materials, within the Dept. of Fire.

Which were severally read and referred to the Committee on Finance.

Also,

No. 978 Resolution repealing Res. No. 94, appr. Feb. 20, 1984, eff. March 2, 1984, entitled: "Providing for the letting of a Contract or Contracts for the furnishing and delivery of MSA Pressure Demand Air Masks (SCBA) with composite air bottles for the Department of Fire, at a cost not to exceed $13,790.00, payable from Code Account No. 1468, Index No. 146803, Equipment, Dept. of Fire.

Which was read and referred to the Committee on General Services.

Mr. Robinson presented

No. 979 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article Seven, Business Related Taxes, Chapter 241, Amusement Tax. — **(SPONSORED BY MR. ROBINSON)**

Which was read and referred to the Committee on Finance.

Also,

No. 980 Resolution providing for a Cooperation Agreement with the Urban

Redevelopment Authority of Pittsburgh in connection with the Administration of the 1000 California Avenue Urban Development Action Grant, at a cost not to exceed $460,000.00 chargeable to and payable from 1000 California Avenue Urban Development Action Grant Trust Fund, Project No. 4-45-27-0130-84-280-84-45.

Also,

No. 981 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 12 by changing from "R5" Multiple-Family Residence District to "C4" Comercial District certain property having 50 feet of frontage on the westerly side of NORTH CRAIG STREET and identified as Lot No. 98, Block 27-D in the Alleghenv County Block and Lot System, 4th Ward.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 982 Resolution further amending Res. No. 1210, eff. Jan. 1, 1984, entitled: "Resolution adopting and approving the 1984 Capital Budget and the 1984 Community Development Block Grant Program; and approving the 1984 through 1988 Capital Improvement Program," this amendment will provide the necessary funds for the increase in the construction costs of Phase I and the design costs of Phase II of the remodeling of Council Offices, by increasing a line item and by adjusting the Summary Totals.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on Monday's agenda.

Mr. Woods seconded the motion.

Which motion prevailed.

Mr. Woods presented

No. 983 Resolution providing for the issuance of a warrant to Garbie Dukes, 156 Robinson Street, Pittsburgh, PA 15213 and Household Finance Consumer Discountv Company, 2129 Ardmore Boulevard, Pittsburgh, PA 15221, in the sum of $3,961.98 in full settlement of a claim for damages, arising from a City of Pittsburgh Equipment Leasing Authority van, being operated by Harry Haney, an employee in the City of Pittsburgh Water Department, striking and demolising a 1977 Chrysler New Yorker moter vehicle owned by Garbie Dukes on June 6, 1984, on Robinson Street, payable from Code Account No. 46, Judgments, Index Code 004606.

Which was read and referred to the Committee on Finance.

Mr. Woods moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on Monday's agenda.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 984 Resolution providing for the issuance of a $1,044.00 warrant in favor of Robert and Frances Hayes in settlement of claim for sidewalk damage

by City tree roots, payable from Code Account No. 46, Judgments.

Also,

No. 985 Resolution authorizing issuance of a $1,375.00 warrant in favor of Marie Knorr for property damage by Department of Water personnel, payable from Code Account No. 46, Judgments.

Also,

No. 986 Resolution authorizing the issuance of a $11,000.00 warrant in favor of Anna Marie Pfeifer for injury to her lower right leg caused by a falling "No Turn on Red" sign, payable from Code Account No. 46, Judgments.

Also,

No. 987 Resolution providing for the issuance of a $1,500.00 warrant in favor of Richard and Mary Donley in settlement of claim for property damage due to a malfunction of a City sewer line, payable from Code Account No. 46, Judgments.

Also,

No. 988 Resolution providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Education for a grant or grants in connection with the Education of the Handicapped Act; providing for the execution of grant contracts including all assurances containted therein; providing for the filing of requisitions and other data; providing authorization for the City of Pittsburgh to enter into Agreements authorized by the Education of the Handicapped Act; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; and creating a Trust Fund in a bank account. Total cost not to exceed $100,000.00 chargeable to and payable from the Education of the Handicapped Act Trust Fund, federal funds.

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 989

Report of the Committee on Finance for June 26, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 929

A Resolution entitled, "Resolution providing for the issuance of a $1,506.28 warrant in favor of Richard Kovach and South Pittsburgh Savings and Loan in settlement of a claim for damage to his sewer line and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods

Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 930

A Resolution entitled, "Resolution transferring $5,000.00 from Code Account No. 1022, Salaries, Regular Employees, to Code Account No. 1022-1, Premium Pay."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

Bill No. 990

Report of the Committee on Public Works for June 26, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 904

A Resolution entitled, "Resolution vacating Shakespeare Street from relocated Shady Avenue to the eaterly side of Vose Way, Vose Way from Penn Avenue to Shakespeare Street and Melmore Way from relocated Shady Avenue to the southerly boundary of Block and Lot No. 84-G-223, excepting and reserving an easement for the 15 inch sewer line located in Shakespeare Street and Melmore Way in the 7th Ward of the City of Pittsburgh."

Which was read.

Mr. Givens:

On Bill 904, it's a very concentrated bill in regards to what it's trying to do on the consolidation out there in the East Liberty area. I was not here last Tuesday for the Wednesday's normal Committee Meeting. I'd like to put that back into Committee; I have some questions to ask the various department heads in regards to this bill and I ask that that be in the form of a motion.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Givens:

Mike, if you would after the meeting, make sure that there's somebody from the Department up here to answer the questions I have to ask.

Thank you.

Also,

Bill No. 905

A Resolution entitled, "Resolution granting unto the Highland Building, 121 South Highland Avenue their administrators and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Post and Siamese Standpipe in a portion of the roadway of Antler Way in the 11th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 906

A Resolution entitled, "Resolution authorizing the execution of an Agreement with the Commonwealth of Pennsylvania, Dept. of Transportation and the Urban Redevelopment Authority of Pittsburgh providing for the construction by the authority of certain public improvements to West Carson Street designated as Legislative Route 736 Extension, Section 43, and providing for the repair, operation and maintenance by the City of certain times in connection therewith."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

Bill No. 991

Report of the Committee on Planning, Housing and Development for June 26, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 908

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Historic Allegheny Associates for the sale of the following properties in the Twenty First Ward of the City of Pittsburgh in Redevelopment Area No. 27 (RESALE FOR REHABILITATION)."

Which was read.

Also,

Bill No. 909

A Resolution entitled, "Resolution approving execution of a Contract for

Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Historic Allegheny Associates for the sale of the following properties in the City of Pittsburgh (RESALE FOR REHABILITATION)."

Which was read.

Also,

Bill No. 910

A Resolution entitled, "Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the below-listed Redevelopers for the sale of the following properties in the Twenty First Ward of City of Pittsburgh in Redevelopment Area No. 27 (RESALE FOR REHABILITATION)."

Which was read.

Also,

Bill No. 911

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and The Women's Christian Association of Pittsburgh and Allegheny for the sale of Parcels 66, 147 and 148 in the Twenty First Ward of the City of Pittsburgh in Redevelopment Area No. 27 (DRIVEWAY ACCESS AND PARKING)."

Which was read.

Also,

Bill No. 912

A Resolution entitled, "Resolution approving Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the below-listed Redevelopers for the sale of the properties for $100.00 per lot as per the Property Management and Maintenance Program (PMMP SIDEYARD SALE)."

Which was read.

Also,

Bill No. 913

A Resolution entitled, "Resolution approving Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the below-listed Redevelopers for the sale of the following properties for $1.00 per lot as per the Property Management and Maintenance Program (PMMP SIDEYARD SALE)."

Which was read.

Also,

Bill No. 914

A Resolution entitled, "Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the below-listed Redevelopers for the sale of the following properties in the City of Pittsburgh (URBAN HOMESTEADING REHABS)."

Which was read.

Also,

Bill No. 915

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 10th Ward of the City of

Pittsburgh owned by Chester C. Boniecke and Emilie Boniecke and designated as Block and Lot 50-L-30 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 916

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the Tenth Ward of the City of Pittsburgh owned by Helen La Manna and designated as Block and Lot 50-M-10 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 917

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 10th Ward of the City of Pittsburgh owned by Albert E. Gold and Manuel Gold and designated as Block and Lot 50-M-11 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 918

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the Tenth Ward of the City of Pittsburgh owned by Arnold Gold and Barbara Gold and designated as Block and Lot 50-L-22B in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, property certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 919

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the Tenth Ward of the City of Pittsburgh owned by Robert M. Metzger and Bessie M. Metzger and designated as Block and Lot 50-L-25D in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 920

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the Tenth Ward of the City

of Pittsburgh owned by Rudolph and Ann Fukus and designated as Block and Lot 50-L-25E in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property certified as Blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 921

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the Tenth Ward of the City of Pittsburgh owned by Shirley A. Leasure and Kim A. Leasure and designated as Block and Lot 50-M-12A in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property certified as blighted by the Vacant Property Review Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 922

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the Twenty First Ward of the City of Pittsburgh owned by Paul Hajducko and Anna Hajducko and designated as Block and Lot 22-F-283A in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 923

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the Tenth Ward of the City of Pittsburgh owned by Harry Ebbitt and designated as Block and Lot 50-M-13A in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 924

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the Tenth Ward of the City of Pittsburgh to acquire that property in the 10th Ward of the City of Pittsburgh owned by Elizabeth J. Mahon and designated as Block and Lot 50-M-18A in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 925

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the Twenty First Ward of the City of Pittsburgh owned by Victor C. Fry and designated as Block and Lot 22-

K-37 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 926

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the Twenty Fifth Ward of the City of Pittsburgh owned by Louise Blanchard and designated as Block and Lot 23-J-66 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 950

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Clean Cities Committee, a non-profit corporation, for the purpose of employing economically disadvantaged youths to clean up and/or landscape City neighborhoods." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Givens:

On Bill 950, the agreement with our Clean Cities Committee, the Chairman of the Committee of Planning, Housing and Development, Bill Robinson, had a committee meeting separate from all other committees here last week wherein many of the Councilpeople attended; some where not there because they were out of town, etc. But in there I think there was good dialogue that was transmitted between the Councilpeople and between the Mayor's staff. There was a certain feeling that that particular thing, that particular meeting, that nothing should move forward until this Council resolves the total package of CD Unspecified Local Option money and this particular bill, although it is worthy, and I think all of us want to vote for it, but we feel this particular bill should be put back in committee and be handled like all the other bills that we have totalling some $1.97 million.

I make the motion that this go back into Committee so that we can discuss it and Bill would have the opportunity of informing the other

Councilpeople who were not at his Committee meeting as to what transpired last Wednesday at 2:00.

The Chair:

Mr. Givens, it's my understanding that this one was thought that it ought to go through and any discussions relative to ULO would be as to what we do in the future. Correct me if I'm wrong.

Mr. Givens:

Well, there are strong feelings, not on the Clean Cities but on the ULO money as a whole. Bill met with the Mayor and I think some other people today and there was some discussion. I think that should be privileged at the Committee session following this one, as it's lined up today; normally we'd have two days to decide this. I think that an additional week is not going to make or break any program. From what I was told these young lads will be working something like six weeks. We know they're not going to start over the Fourth of July holiday so it will assumably be next week anyway which, if this Council gives it approval, by next Monday then it can be moving forward almost by the time as long as they know that we're going to approve it. But there are a lot of unanswered questions as to how the Unspecified Local Option money is being handled and in order to serve justice to all these other agencies that we're holding back money on that want to get moving with their programs also and their funding, it would be unfair then to move this forward without putting it in total context with the, as I indicated, the $1.97 million outstanding in Unspecified Local Option.

Mr. Woods:

Mr. President, if I may, relative to what Dick was referring to, the meeting this morning that yourself, Councilman Robinson and myself — In fact, Bill asked me to set the meeting up at our private meeting last Thursday. I feel that it was constructive; I would like to see this one particular piece of legislation go through, I'm speaking for myself, and then we can get in another debate on the other projects that are coming up, that are eligible to come up before any other legislation comes up. But I feel we need this. There are only so many weeks in this summer; it is already July and people will be going back to school, many of these people, and in late August we won't be here and that's why I ask not to recommit this bill but to push it forward. This one particular piece of legislation.

The Chair:

That's my understanding, Mr. Givens. What you've indicated is accurate but from the latest discussion it's my understanding that this bill was to go through and that would be addressed in the future.

Mr. Wagner:

In reference to Bill No. 950, in the meeting we had last week which was very educational, what I learned at that meeting was that there are over $3 million in requests for funds from very, very needed organizations, quite a few organizations, organizations that house the homeless, organizations that provide care for those that have speech problems, hearing problems, and I think they are all very needy and I think I expressed this at last Wednesday's Committee Meeting. I think all funds and all organizations should be evaluated on an equal basis. For that reason I support doing that, having another meeting and evaluating the importance of all, including the Clean Cities Committee.

Mr. O'Malley:

I'd also like to state that I think every Councilman here supports Bill 950. I think this Council has been in the forefront of leadership when it comes to providing for funds for the unemployed but I think it's the principle that myself and some of my colleagues are talking about when it comes to Unspecified Local Options and I personally feel that it's unfortunate that some department heads chose this bill to make the stand and they chose this bill, not this Council, chose this bill to push through Council because I know that Councilman Robinson who is Chairman of Planning, Housing and Development explained and made very clear to a number of department heads the majority of the members, I feel the majority of the members of this Council's position concerning Unspecified Local Options. So I feel it is very unfortunate that they picked this bill to make a stand on but I think this Council certainly has to pick a bill and make the stand and unfortunately this is it.

The Chair:

Roll call vote on whether to recommit.

Mr. Perry:

There was no second.

The Chair:

Mr. Wagner, I took your statement as a second.

Mr. Wagner:

If not, then I second the motion.

The Chair:

Roll call.

I think the project that is before us is very vital to the City of Pittsburgh. It is interwoven into other City programs; it is something that we have all engaged in as a need for taking care of something immediately and that's the cleaning up of our City. It involves a couple hundred youth involved during the summertime for employment; I can think of no other project that has as much priority as that and in view of that I vote no.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Mr. O'Malley	

AYES 5 NOES 3

(MRS. MASLOFF, MR. WOODS AND MR. STONE VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Mr. Wagner presented

Bill No. 992

Report of the Committee on Engineering and Construction for June 26, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 927

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh for the installation of sidewalks in connection with the Gualtieri Manor Project; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 928

A Resolution entitled, "Resolution further amending Resolution No. 522, effective May 29, 1981, as amended by Resolution No. 829, effective September 30, 1983, entitled: 'Providing for a Contract or Contracts, or use of existing Contracts, in connection with Public Property Sidewalks and providing for the payment of the cost thereof,' by reducing the total allocation by $34,341.68."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone

(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

Members of Council, allegedly, the City Controller Tom Flaherty sent a letter to Council. I have not gotten it and I'm not sure if anyone else has gotten it, but I get the impression from a newspaper article that allegedly some of the material in that letter is from a letter allegedly addressed to us. I'd be less than fair, since we've said this to the Administration on many occasions, I become increasingly disturbed that people put things in the newspaper before we receive them and I think there has to be a fair understanding, whoever does that, they ought to understand that it's not done with our blessing.

But I have a greater concern at this time. There is allegedly a problem in our Water Department in the City of Pittsburgh and if the newspaper accounts are accurate then there's more to it and the investigation is on a continuing basis. The temptation to go public is most inviting. Getting a few headlines is even more tempting. I personally had that choice to make relative to the Southside fires. I could have very easily because our Police Department had been working diligently in the field but nevertheless after some 30 fires I could have taken a few shots. But the truth of the matter was, we were interested in results and not in the temptation of publicity or headlines. But more importantly, as with the Southside fires, the investigation was on. It had to

continue under the nature of where it was. In fact, on June 2, 1984, I was aware and assisted the local police officers relative to the very individual who was finally arrested and yet there was no publicity on it because we still needed to have the investigation continue.

When an investigation is continuing, it is very basic that you stay out of the press until your investigation is completed so that you're best able to do it. From my experience as an Assistant District Attorney, nothing was more alarming than public disclosures even if well intended but it would attempt to make a publicity thing out of it and I think we are losing the best interest in that disclosure. The investigation gets impeded when the press is informed prematurely. I think that our City Controller's impetuousness and desire for headlines in this case may have seriously hampered, from what I have been informed, this City's investigation. To get publicity but to impede an investigation does not serve the best interest of the City. In addition, dropping names before anyone is charged or indicted seems to me, at this point at least, to be a violation of someone's civil rights.

I seriously hope that the civil rights and the investigation are not affected but as a lawyer and as a former Assistant District Attorney, I would find it most difficult not to see at this present stage of it, that there has not been an impairment of the investigation, that there has not been a violation of someone's civil rights. I question it, and if you will recall, I'd like to stay consistent, when we were at this table and we got close to those kinds of things which were under investigation, if you'll recall the Saw Mill Run situation, when there is an investigation on, good sense dictates let the investigation be completed. As I said, I hope it doesn't impair it but I think we have a serious impairment of what is being attempted here.

Mr. O'Malley:

Mr. Chairman, if I just might add support to what you just said, I think the Controller's Office should have more common sense than to try this in the press. It's my understanding from what I read over the weekend, that the Controller's Office actually named names. It's also my understanding that in a democracy people are innocent until they're proven guilty. Just by naming names I would imagine that they gave the assumption of guilt that these people might have to bear for the rest of their lives. Even if they are proven innocent, which would lead me to believe that if they are proven innocent then it would open up a lawsuit against the Controller's Office.

I would also go along and urge the Controller's Office to refrain from naming names in the future which might prove to be embarrassing for everyone involved.

The Chair:

Worse than that, Mr. O'Malley, if the investigation leads to the next party and they read it in the press, you can bet your last dollar the evidence is gone.

Mr. O'Malley:

They said the shredders were working over the weekend.

The Chair:

That's tough. I'm shocked to see that that would happen.

Mr. Givens:

Mr. President, if I could respond on one of the comments that you made, the Controller is the only elected official that is responsible for every penny that this City spends. Not you and not I. We are morally but he is legally responsible for every penny that is spent or unspent or uncollected and he can be sued unlike that of the Mayor or this body right here.

You brought up a very interesting question on the Saw Mill Run. Being a fact that it does come under the chairmanship of the Department of Public Works, I am still waiting for a response from a letter to the Mayor that I gave him almost one year ago. I am still waiting for a response as to some action. I am well aware that that particular accident is still under lawsuit and is still pending and for that reason I'm trying to keep my patience. However, when we sent our own investigators down there from our own Finance Office, he was denied after about a day or so of probing to get information for this Council as to whether or not there was something serious happening out there. The books were closed on his investigation.

Maybe Mr. Flaherty had to do what he had to do in order to open those books up for public scrutiny and the media, thank God, has the right in any corruption in government to use their own investigative means to try to find out and get to the bottom of it. Sometimes they get better leads than we get from government. I think there was a case in Sunday's paper that proved that.

The Chair:

Let me just mention one point, if I may. I hope that no one interprets from what we said here that we don't 100 percent support an investigation. Wherever it leads to let it go. The only reason I mentioned the Saw Mill Run thing was to show a consistency. I don't want to get involved in the squabble of who was first, who was second, who did this, who did that. When the investigation is all over and if someone goes to jail, they can take plenty of time then to pat themselves on the back as to what they did or did not do or who was first, who was second. That's not for us to deliberate. But any time that anyone takes any money that they're not supposed to take in this City of Pittsburgh then obviously there ought to be an investigation and let the chips fall where they may.

Mr. Robinson:

Mr. President and members of Council, on June 25 and 26, 1984, I attended the initial meeting of the National League of Cities Urban Unemployment Task Force in Washington, D.C.

I was appointed in May of 1984 by Mayor George Lattimer of St. Paul, Minnesota, the President of the National League of Cities, to serve on this task force. Our purpose is to identify the nature of the unemployment situation in urban centers and recommend possible solutions to the appropriate policy committees of the National League of Cities. The Chairperson of the task force is Mayor Donald Frazier of Minneapolis, Minnesota.

Additional information on the work of the task force will be provided upon request.

The Chair:

Thank you.

Mr. Wagner moved to excuse Michelle Madoff for absence from the meeting.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. Wagner:

I move to adjourn this meeting and meet next Tuesday, July 10, 1984 at 2:00 p.m.

Mrs. Masloff seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Wagner**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Tuesday, July 10, 1984 No. 28

Municipal Record

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Tuesday, July 10, 1984

PRESENT:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods (Pres't Pro tem)

ABSENT:

Mr. Stone

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Givens presented

No. 994 Resolution changing the name of Stadium Drive, from Terrace Street to Allequippa Street, in the 4th Ward, City of Pittsburgh, to Sutherland Drive.

Which was read and referred to the Committee on Public Works.

Mrs. Masloff presented

No. 995 Resolution providing for authorization to enter into an Agreement or Agreements with various contractors for services in conjunction with the 1984 Pittsburgh Jazz Festival, at a cost not to exceed $10,000.00 chargeable to and payable from Special Parks Program Trust Fund (SPPTF), Index Code 254359, in the Department of Parks and Recreation.

Also,

No. 996 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting authorization for Dan Dziubek, Rupert Friday, Phil Costanzo and Lydia Konecky, to travel to the Laurel Highlands Hiking Trail during working hours for implementation of the City of Pittsburgh, Outdoor Challenge Program from July 23-26, 1984 and again August 1-3, 1984, at no cost to the City of Pittsburgh.

Also,

No. 997 Communication from

Louise R. Brown, Director, Department of Parks and Recreation, requesting authorization for Ronald L. McPherson, Jacqueline Dorsey, Joseph Rodgers and Cynthia DuBose, to travel, assist and coordinate the efforts of the 87 senior citizens who will be at the Pittsburgh delegation to the Pennsylvania Senior Games at Shippensburg University, Shippensburg, PA, August 8-11, 1984, at a cost not to exceed $300.00 payable from Parks and Recreation, Code Account No. 1843, Senior Citizens Program.

Which were serverally read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 998 Resolution providing for the issuance of Certificates of Appropriateness for exterior work on the residential structures in the Manchester Historic District; for exterior work on the commerical structure in the Mexican War Streets Historic District in the 22nd Ward; and exterior work on the commercial structures in the Market Square Historic District in the 1st Ward; for exterior work on the individual historic landmark, the Allegheny County Courthouse located in the 2nd Ward.

Also,

No. 999 Resolution providing for the implementation of a Residential Sticker Parking Program in the Oakland community pursuant to Pittsburgh Code, Chapter 549.

Also,

No. 1000 Resolution amending Res. No. 104, eff. March 2, 1984, entitled, "Providing for a First Amendatory Neighborhood Housing Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of interest earned as the local matching share for a grant applied for in an application for Financial Assistance file with the Pennsylvania Department of Community Affiars and for the reimbursement expenditure." To substitute below market rate interest first mortgage loan funds held by the Urban Redevelopment Authority of Pittsburgh as the local matching share for the grant.

Also,

No. 1001 Resolution authorizing the Urban Redevelopment Authority to acquire all of the City's right, title and interest, if any in and to the publicly owned property in the 13th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot 174-L-155, under the Industrial Land Reserve Fund.

Also,

No. 1002 Resolution approving the sale of Parcels 117 and 124 in the 3rd Ward of the City of Pittsburgh by and between the Urban Redevelopment Authority and Congress of Racial Equality for $1,000.00 per dwelling unit - Redevelopment Area No. 31. (Single family house)

Also,

No. 1003 Resolution approving a Neighborhood Housing Program Agreement between the Urban Redevelopment Authority of Pittsburgh will provide financial assistance to the purchaser of houses to be constructed in the Third Ward of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Program.

Also,

No. 1004 Communication from Reginald B. Young, Acting Director, Department of City Planning, requesting authorization for Ed Wells to attend the 1984 workshop and conference of the Urban and Regional Information Systems Association in Seattle, Washington, from August 12-15, 1984, at a cost not to exceed $1,600.00 payable from 1984 CDPA (220608). The workshop will cover the technology, design, implementation, and application of geographic data bases.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 1005 Resolution providing for the issuance of a warrant in favor of Tedco Construction Corporation in favor of Tedco Construction Corporation in the amount of $23,104.61, in payment of the new lighting installed in the offices of the City Controller and Treasurer, charging the same to Code Account LB 83-14, 4-13-95-0001-83, Index Code #351452, Renovation of Public Buildings.

Also,

No. 1006 Resolution providing for the issuance of a warrant in favor of Insituform East, Inc., in the amount of $37,400.00 in payment for an Emergency Contract for Insituform Lining of the sewer on Fourth Avenue from Market Street to 360 lineal feet West to Stanwix Street; and providing for the payment thereof, charging the same to Code Account PW 82-04, 4-13-01-0118-82, Index Code #300509, Third Avenue, Stanwix to Wood. Prior approval granted by Council on May 10, 1984.

Which were read and referred to the Committee on Finance.

Also,

No. 1007 Resolution repealing Res. No. 411, eff. June 1, 1984, entitled, "Providing for the issuance of a warrant in favor of the Dick Corporation (D. W. Dick, President) in the amount of $9,770.00 in payment for an Emergency Contract for the repairs of a pin connection on the Ft. Pitt Boulevard-Eastbound; and providing for the payment thereof," charging the same to Code Account No. PW 84-38, 4-13-30-0001-84, Miscellaneous Repairs to Streets & Structures, Department of Engineering and Construction, Index Code 307504, is hereby repealed in its entirety.

Also,

No. 1008 Resolution repealing Res. No. 1045, eff. Dec. 6, 1983, entitled, "Providing for a Contract or Contracts, including the use of existing Contracts, for construction in connection with renovations to the Treasurer's Office, at a cost not to exceed $30,000.00 chargeable to and payable from LB 83-14, 4-25-15-0001-83 (4-13-95-0001-83) Renovations to Various Public Buildings, Department of Lands and Buildings.

Also,

No. 1009 Resolution amending Res. No. 802, eff. July 27, 1978, entitled, "Providing for an Agreement or Agreements for Professional Services in connection with the South Sdie Riverfront Park; and providing for the payment of the cost thereof," by amending the title to include the Boat Dock and SOD office, providing for a Supplemental Agreement or Agreements, and by increasing the total allocation by $90,000.00 to $115,000.00 chargeable to and payable from Code Account CDPR 78-10 and LB 84-02.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Wagner for Mr. Woods presented

No. 1010 Resolution providing for the acceptance by the City of Pittsburgh of certain property in the 19th Ward of the City of Pittsburgh from South Hills Health System successor to St. Joseph's Hospital and Dispensary of Pittsburgh for public greenway purposes at no cost to the City of Pittsburgh.

Also,

No. 1011 Resolution repealing Item G of Res. No. 392, appr. May 11, 1984, which repealed Res. No. 363, appr. May 5, 1977, for the sale of a lot in the 20th Ward, 313 Marena Street, Block and Lot 21-R-244 to Bernard Schmiedeke (assigned to Kevin Lenz) for the sum of $500.00. Resolution is to re-instate original Resolution.

Also,

No. 1012 Resolution amending Item B of Res. No. 316, appr. April 24, 1984, for the sale of vacant land on Frazier Street, 4th Ward, Block and Lot 29-M-256-261-262, to Paul Surgent & Marnie S. Brasher, for the sum of $400.00. Amendment is to correct spelling of former owner's name from Flinn to Flynn and to correct the Treasurer's Sale to read 59 instead of 129.

Also,

No. 1013 Resolution amending Item C of Res. No. 316, appr. April 24, 1984 for the sale of vacant land in the 10th Ward on Brown's Way, designated as Block 50-L, Lots 30-30A-30B-30C; 34D-34F-34G; 50-M-53D-53F-53G; 50-M-56-56A-56B-56C, to Garfield Jubilee Association for the sum of $3,000.00.

Also,

No. 1014 Resolution amending Item L of Res. No. 422, appr. June 1, 1984, for the sale of a lot in the 30th Ward on Bausman Street, Block 14-P-230 to Patrick Duffy, for the sum of $300.00. Amendment is to correct the year from 1979 to 1949. Both the Proposal and the Resolution should read: Acquired on July 5, 1949.

Also,

No. 1015 Resolution repealing Item G of Res. No. 446, appr. June 6, 1984, for the sale of a hse. on 1208 Murtland Avenue, 13th Ward, Block and Lot 125-D-113, to Albert W. D'Angelo, for the sum of $2,500.00. The reason for the above repealing resolution is that it has been disclosed that this property is a vacant lot - there is no house.

Also,

No. 1016 Resolution amending Item K of Res. No. 422, appr. June 6, 1984, for the sale of a vacant lot at 311 Carrick Avenue, 29th Ward, Block and Lot 94-A-270, to Frank A. Bach, Jr., for the sum of $500.00. Resolution is to correct the address to read 311-1/2 instead of 311 Carrick Avenue, and the Treasurer Sale number should be 2403 instead of 2409, on both the Proposal and the Resolution.

Also,

No. 1017 Resolution repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 514, as amended. The reason for the above Repealing Resolution is to cancel the sales and to forfeit the hand money in

the respective sales, as the purchasers have all failed to comply with the Agreement of Sale.

Also,

No. 1018 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act no. 514 of 1947 as amended.

Also,

No. 1019 Communication from Ronald C. Schmeiser, Director, Department of Finance, submitting a report of deposits and market value of collateral Security pledged by City Depositories to secure same as of May 31, 1984.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1020 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in an to the publicly owned properties in the 3rd, 12th, 13th, 18th, 25th, and 27th Wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County Block and Lot Numbers mentioned therein.

Which was read and referred to the Committee on Planning, Housing and Development.

REPORTS OF COMMITTEES

Mr. Wagner for Mr. Woods presented

Bill No. 1021

Report of the Committee on Finance for July 2, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 946

A Resolution entitled, "Resolution transferring the amount of Sixty Thousand ($60,000.00) Dollars from Code Account 57-1 (005710) Retirement Severence Pay-Sick Leave in the Department of Finance to Code Account SPP (254359), in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 959

A Resolution entitled, "Resolution transferring One Hundred Thousand Dollars ($100,000.00) from Code Account No. 45, Index Code 004507, Health Insurance-Municipal Employees, Department of Finance."

Which was read.

The Chair, Pro tem:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner

Mrs. Masloff	Mr. Woods (Pres't Pro tem)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 983

A Resolution entitled, "Resolution providing for the issuance of a warrant to Garbie Dukes, 156 Robinson Street, Pittsburgh, Pennsylvania 15213 and Household Finance Consumer Discount Company, 2129 Ardmore Boulevard, Pittsburgh, Pennsylvania 15221, in the amount of $3,691.98 in full settlement of a claim for damages to a 1977 Chrysler New Yorker motor vehicle and providing for payment thereof."

Which was read.

The Chair, Pro tem:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods (Pres't Pro tem)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 67

A Resolution entitled, "Resolution urging the Mayor, the Civil Service Commission, and the Director of the Department of Personnel and Civil Service to write into the City's Civil Service Rules a method of appeal relative to the psychological testing of candidates for Police Officer." — **(SPONSORED BY MR. GIVENS)** (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Givens:

Discussion, Mr. President. On Bill No. 67, which is regarding the Civil Service and the Civil Service appeals of those candidates that were tested for psychological service. I move to recommit that Bill No. 67, or to really table it. I'm going to table that bill and to respond to my colleagues' concerns about the form of this resolution. If you remember, some were concerned that it should have been in the form of a resolution of intent rather than a bill of law and I have to agree with that. Later in the meeting I will then read an adopted resolution which will have the exact same language of intent as Bill 67 but which will be in a form acceptable to all members of Council. I trust that this change will not diminish your interest in securing a fair and equitable appeal process for those police officer candidates who wish to change the psychological portion of their examination. I so put that in the form of a motion.

Michelle Madoff seconded the motion.

Mr. Givens:

The bill that we voted on

Wednesday positively, they asked that we put in an adapted resolution rather than a regular resolution.

Mr. Robinson:

My concern is a procedural concern. It was my understanding that Mr. Givens made a motion to table. I think the appropriate motion would be to recommit and then table in Committee.

The Chair, Pro tem:

Make the motion to recommit today and then in Committee we'll table it.

Mr. Givens:

Okay, I make that motion.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Givens presented

Bill No. 1022

Report of the Committee on Public Works for July 2, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 941

A Resolution entitled, "Resolution providing for a Reimbursement Agreement or Agreements with the County of Allegheny in connection with the renovation of Elevator "K" in the City-County Building; and providing for the payment of the cost thereof."

Which was read.

Michelle Madoff:

Mr. President, Elevator "K", is that the back elevator? You know that we are in real serious trouble back there. If we had any problems in this building it would be horrendous to get out. This should be expedited immediately. Could we put a rider on here that we move expeditiously on this? Can we have a letter go out saying that we move on expeditiously? Did you ever wait at that back elevator?

The Chair, Pro tem:

I think it's for an additional elevator —

Michelle Madoff:

I know but if they go a) the same way, with the same company which never worked, b) it's a miracle we haven't had lawsuits; I'm black and blue from being hit by the door. We don't want the same company; we want good service contract and its got to be done right away. There's one elevator and do you know what's going on now? The application for jobs are on the floors above so everybody is using that one elevator and it's really a danger, it's a real hazard to this building.

Mr. Robinson:

Mr. President and members of Council, I have to support Mrs. Madoff in this regard. I think that it is essential that we address the issue of the elevators on the Ross Street side of this building. There is a very serious safety hazard there, not only because of the elevators being in disrepair and one in particular in disrepair, but the fact that large numbers of people use that elevator each and every day. We have had at least one or two accidents with

the elevator dropping. I would hate that we would in any way not take serious Mrs. Madoff's concern because I think it goes beyond her own personal interest in the elevator issue but to the safety of people who have to utilize that elevator. I think that we ought to find out very specifically from those persons responsible for maintaining the elevators in the rear of the building on the Ross Street side when and how those elevators can be repaired. There are City departments that are serviced by the elevators, there are City employees who use them and there are also people outside of City government who use them and people in County goverment. There is no sound reason not to repair those elevators and have them in good working order. It makes good common sense and I would think that our insurance carriers would appreciate it and I also think people who have been inconvenienced and in some instances injured would appreciate it. And I very earnestly request that this Council make some arrangements be it with other City departments or with the County of Allegheny to have those elevators operated in a safe and efficient fashion.

Michelle Madoff:

I've been asking that question, Mr. Chairman, if you may recall for almost a year. We're one year later and it hasn't happened yet and we are in danger in this building. There were bats in the back stairwell; we couldn't even walk down the stairwell one day.

Mr. Grabowski:

Mr. President, you may recall that at the last Committee session I raised a question with the regard of the appropriateness of spending this money out of the cable trust fund in light of the fact that it would not be exclusively used for the cable television bureau up on the ninth floor. My curiosity got the best of me; I'm still concerned that this is not a proper expenditure and yesterday I sent a letter to the Federal Communications Commission asking a ruling on this particular legislation and I don't think we should act on this before I hear a response and I'm going to move to table not only this bill but also the other bill dealing with the lighting for Council's Chambers. I make that in the form of a motion.

Michelle Madoff:

I second that for discussion. I think that my colleague is doing the right thing; he is trying to proceed in an orderly, legal fashion and I support him in not using the money out of that account. But I do not support him in waiting one moment, as Mr. Robinson has supported me, in getting those back elevators in working order because we've had the elevators drop, we've had people in them, they hurt people going in. I was going to get a list so people could sign it, a petition. This is ridiculous. We don't need to make a media event out of an elevator that is hurting people. Let us be responsible Councilpeople. How do we run the City when we can't even fix an elevator?

May I suggest that we invite — who would that be, Mike, Supplies? — Mr. Jacoby to be here the first possible moment.

The Chair, Pro tem:

This elevator that we're speaking of today is an additional elevator for the Ross Street side.

Michelle Madoff:

But Mr. Robinson and I are talking about getting all the elevators on that side put back in operation.

The Chair, Pro tem:

That falls under the County, not the City.

Michelle Madoff:

No, no. Half and half. It's 50-50.

The Chair, Pro tem:

Okay, but this is an additional elevator. We have one operating back there now, this will be an additional elevator.

Michelle Madoff:

We understand that and I'm saying I don't want to hold up on it because of where the money is coming from. Let's find the money somewhere else and let's go with it.

The Chair, Pro tem:

I don't agree we should hold up on it either and the elevator is going to be put in use, supposedly, strictly for the cable bureau. Anyone that uses the elevator, we can't stop them; just like if the County uses this side of the elevators we can't stop them.

Michelle Madoff:

That's dishones. I don't mean dishonest, I don't mean it in that sense. I mean you know that everybody is going to use that elevator and I think my colleague is making a point. We're putting an elevator into operation and we're using the money so we don't go into the budget. That's the fact. He's being honest and straightforward and I think the fact is that we need not only this elevator but we need another elevator. We need to protect people's lives in this building, including mine and yours when we fight going down that elevator because I'm not going where the bats are.

The Chair, Pro tem:

I agree. Any other comments?

Michelle Madoff:

When are we going to have Mr. Jacoby and somebody from the County to be —

The Chair, Pro tem:

Michelle, you can call a post agenda anytime and bring them in here.

Michelle Madoff:

What's the first available time? I don't know. Mike, what have we got?

Mr. Perry:

Next week. Next Wednesday.

Michelle Madoff:

Next Wednesday we have a Mr. Fred Graham or somebody from the County or one of the Commissioners, and I would like someone — I'll tell you who I want here. I want the Fire Department, Public Safety — Will you set it up? Councilman O'Malley will have the appropriate safety —

Mr. Grabowski:

Let me make one further point to reinforce my position. The Cable Bureau, they have four, six or eight automobiles assigned to them from the City motor pool. They're at the exclusive use of the Cable Bureau. Now, if we permit legislation like this to go through, what's to stop the Cable Bureau to say, "Okay, we're going to go out on a contract and resurface the parking lot where the City motor vehicles park

because we have cars that utilize that."?

I'm just making that point because until I hear from the FCC I really do not think we should spend this money.

The Chair, Pro tem:

I understand you point, I just happen to disagree.

Mr. Robinson:

Mr. President, if Mr. Grabowski is making a motion to recommit Council Bill 941, I'll support that.

Michelle Madoff:

Excuse me, Mr. Robinson. I would like to not submit it, I'd just like to find a different funding source. I think we can't wait on the elevator. It's going to cost us a lot more than the $75,000 if somebody is hurt.

The Chair, Pro tem:

Michelle, with this piece of legislation we either have to pass on it or recommit it. We can't substitute it.

Michelle Madoff:

Wrong. We can find another source of funding.

Mr. Givens:

Mr. Chairman, this somewhat comes under my committee and Steve did raise those questions. However, I'm afraid the Federal Government moves very slowly and this would have to be held up for many many weeks. I would recommit for one week to discuss the whole elevator situation and a post agenda but I think just for one week. Maybe Steve will get some type of a verbal reading back.

As far as vehicles, the Cable Bureau has a responsibility of that $130 million system that Warner built to inspect it to make sure that it's built according to the specifications that our ordinance requires it to be. So, they are another branch of government and to use the funds that were so designated in that ordinance. Our own ordinance then has to be challenged and amended or changed before we can say that they cannot use it for whatever purpose they deem it necessary. And I think to get an FCC regulation back on this, FCC has been leaning towards the cable companies in the last several years. It's only through the pressure of League of Cities and the local mayors that we've been able to hold on to what we have right now and that battle is undergoing and will be in Congress as was presented here earlier this morning.

I think for the safety of the people alone and the fact that the County is willing to share 50 perent of the cost of $140,000, and our share is some $75,000, that we should go forward with this. But I will hold it for one week and request with my fellow Councilman and hope that he can get his answers and in the meantime I think we still have to move on this as rapidly as possible.

Mr. Robinson:

Mr. President, I think we need to straighten out procedure. If I'm correct, a motion to recommit would recommit the bill until the next Wednesday's Committee session which is going to be this afternoon. Am I correct?

The Chair, Pro tem:

You are correct.

Mr. Robinson:

This bill will then be considered

this afternoon. At that time, if there is a necessity to hold it for a longer period of time, there will be a motion to hold.

Michelle Madoff:

We have a solution. King Solomon O'Malley just came in with a solution. Councilman O'Malley just came up with a solution which I think might make everybody happy. We've got to go with the elevator because it's a matter of public safety; it's going to cost us a lot more in the long run if we don't. Why don't we go with it, use this money, and if we get a letter back saying we cannot use the money, we have to have the elevator in any event, we will reimburse the account if it is ruled to be illegal. And we would all support you on that.

Mr. Grabowski:

That's the ruling that I anticipate receiving from the FCC saying that this is an improper use of money and they are going to direct the City to reimburse the cable trust fund. But I dont think we should take an illegal action in the first place. If we're going to appropriate money, let's get it from the Capital Budget or some other source. We have much broader discretion over the general fund —

Michelle Madoff:

I said that but they're not willing to go with it.

The Chair, Pro tem:

All in favor of recommittal? Roll call vote.

Michelle Madoff:

Wait. Under what conditions?

The Chair, Pro tem:

Until this afternoon, the next Committee Meeting.

Mr. Grabowski:

Mr. President, let me make a point of clarification. I originally moved to recommit both bills. At this point I'd just like to recommit 941 and we'll proceed with further discussion on the next bill.

The Chair, Pro tem:

Roll call vote on the recommittal of 941.

Michelle Madoff:

I would like to go with it now and when the letter comes back saying that it's illegal take it out. I'm worried about the public safety. We've done this many times, changed accounts. I'm just afraid. If the ruling comes back, and I think Mr. Grabowski is right, the money will automatically have to be put back. I don't really want to do it as an illegal action but I have been hit by that elevator 25 times.

Mrs. Masloff:

I don't think we ought to recommit it because the money is coming out of the Cable Bureau and I'd rather have it come out of there than have it come out of tax fund. I vote no.

The Chair, Pro tem:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner

AYES 4 NOES 4

VOTING NO:

Michelle Madoff	Mr. O'Malley
Mrs. Masloff	Mr. Woods (Pres't Pro tem)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

The Chair, Pro tem:

Is there any discussion on the bill itself?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods (Pres't Pro tem)

AYES 6 NOES 2

(MR. GRABOWSKI AND MR. ROBINSON VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 942

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contracts for equipment, services, and supplies for the installation of a Lighting and Audio System for City Council Chambers."

Which was read.

Mr. Grabowski:

I think that you're all aware that there is legislation pending in Congress that would drastically change the regulations any municipality can impose on the cable franchise and I think that that legislation from all indications is going to be acted on within the next few weeks. I think if it passes we are not going to be restricted only to cable purposes for the money that we have accumulated from the franchise fee. We could spend it for renovation of elevators, for paving of streets, for whatever purpose we deem necessary. To me this whole matter, it was brought out at the Committee Meeting last Wednesday, there's $1.7 million sitting in that trust fund, that's a lot of money, and it appears to me that the Administration is just looking for ways to spend it and I don't think that's a prudent way to do business.

I think this legislation is an example of that. They want us to spend $80,000 to install more lighting in here. What's to prevent them from spending maybe $5,000, $10,000 at the most, to buy some portable lights? All the commercial television channels, when they come in here they don't have all these massive lights. They have one light on top of their camera and they're able to film and reproduce these Council sessions very well on the news.

They're looking for ways to spend this money. I think this is an unnecessary expenditure of funds and I'm

voting no on this bill as well as the other bill.

Mr. Givens:

I think when you look at the total cost of the $80,000 for the lighting in this particular facility, and as Brother Richard Emenecker is not spending any money out of that trust fund, it needs this total Council's approval and it was forwarded in the Budget of 1984 of which you were not privy at that time, Steve, to vote on, to do exactly what we are doing right now. It has to come back up again in legislation which it is doing now for our final approval. To have permanent lighting here in the long run will save. The number of meetings that are now conducted in Council and which Council wants to be on the Govermental Channel is very heavy. These lights are burning out; they're only four hour lights. And the lighting effect, as Brother indicated, you're purple on the one side and red on the other side of your face, especially with the sunlight coming in the large arch windows that we have right here. I don't care how I look, green, purple, red or otherwise, but I believe as any studio or any modern communications system you're going to want to have what is the state of the art and it's going to be a permanent installation forever as these lights have been put in probably some years ago almost when this building was built, at least 85 or 90 years ago. This is the first significant lighting change that this building has had. Look at any building in the City and I think you'll find that almost all of them have changed their lighting to modernize and update it and in the long run the wattage that these lights burn and the cost of electricity, we will save in the long run. For that reason, I think we should move forward in having this permanent lighting rather than having these little bulbs sticking off our present channel that we have there right now.

Mr. O'Malley:

Am I correct to understand, Mr. Grabowski, that in that Senate Bill there is a clause that says that we'll be able to use that cable franchise money for other than just —

Michelle Madoff:

General fund.

Mr. O'Malley:

For the general fund.

Mr. Robinson:

Mr. President and members of Council, I think that Councilman Grabowski has raised an issue which we need to really address and that is, under what set of circumstances, under what type of guidelines, are funds in the cable trust fund being utilized? It would appear to me that without some clear understanding and some clear guidelines that we simple will be spending money for projects that we believe to be worthy without any full understanding of where we might be going in this City as far as cable communications is concerned. I think the present discussion around the possible transfer of this system from Warner to TCI suggests that there are a number of unanswered questions and I think it would be somewhat foolish for us to invest $80,000 in relighting this room before we address the more serious questions, one of which is what guidelines are being utilized by the Department of Public Works and the Bureau of Cable Communications to determine how this money is spent. It appears now that the only guidance that is being given to this is through the Superintendent and that legislation is being submitted to Council to pay for

items that tangentially, in some instances, relate to the cable operations in this City. I don't think that's a very good way to proceed and I certainly support Councilman Grabowski in requesting that Council reject Council Bill 942. It is not essential that this room be relit. It's not a matter of life and death and I think those of us who have to work in this room from day to day are probably more concerned about the important business of Council than we are about the wattage of the lightbulbs. If those bulbs burn out every four or five hours, they certainly can be replaced and much cheaper than $80,000.

The Chair, Pro tem:

I would just like to add one thing. It not just lighting, it's the audio system in here also.

Mr. Wagner:

I'd like to ask the City Clerk, is this proposed work tied in concurrently with the reconditioning of these Chambers?

Mr. Perry:

Yes it is.

Michelle Madoff:

I was going to point out that we do have a lot of problems with the mikes. I understand that various audio levels are coming across for people to hear what we're saying. I think the system is quite antiquated and it does need to be repaired but I think Mr. Robinson's point, the same as Mr. Grabowski's point, is very well taken. I think at some point this Council has to start taking responsibility and not be run roughshod over by the Adminstration. They spend the money as they see fit; when they want our opinion they give it to us, and we've got to stop that. There have never been five votes to do that and I think we're approaching the time where we're going to have five votes to say, "No, you cannot keep doing this to us."

This is not the first time, Mr. Grabowski, issues like this have come up. For example, there were 65 people that belonged in the Operational Budget that were in the Capital Budget and only after I had caught them were they taken out. And that was because it was illegal; they could have gone to jail.

The point that I'm making is that the issue is much broader than the two bills that have come up today. I think if we're going ahead and we're going to be doing the room in August — If we hold it a week will it affect it, Mike? What do you think?

Mr. Perry:

I don't think it would.

Michelle Madoff:

Then let's hold it one week. But I think from here on in we have got to start having meetings with whoever is in charge of the fund for cable, whoever is in charge of other funds, and we want to have some input as to how those monies are being spent and I think we now have enough bright people on this Council who see the light and we can get the five votes.

The Chair, Pro tem:

Is there a motion to recommit?

Mr. Grabowski:

I will move to recommit.

Michelle Madoff seconded the motion.

The Chair, Pro tem:

Roll call vote on the recommittal.

Mr. Givens:

I vote no and the reason I vote no is that the budget, the Cable Bureau as all department heads, were submitted to this Council for budget deliberation in 1983. This Council and all members but two voted on that particular budget and it was an affirmative vote. We are carrying out the mandates of that particular budget and we can change our minds any time we want to on any particular facet. I couldn't care if there's no lights in here but be professional in the field and for the camera people to do their work properly I think they need the equipment and that equipment has been so designated by the Superintendent. I think he's in his rights to do what he's doing and I think it's the time that we make this Chamber one that is accessible to the media that is covering these public hearings. I vote no on the recommittal.

Mrs. Masloff:

I vote no because I think if this room is torn up and they're remodeling it, I think you do everything at one time.

The Chair, Pro tem:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. O'Malley
Michelle Madoff	Mr. Robinson

AYES 4 NOES 4

VOTING NO:

Mr. Givens	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't Pro tem)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Mr. Grabowski:

Mr. President, before I vote I'd just like to make one further comment. As I indicated, it's evident that there's $1.7 million in the cable trust fund. The federal legislation in all likelihood will be passed by the end of the month that will deregulate the authority we have over cable. I believe these two bills and I understand that we introduced another one this morning spending $280,000 or $290,000 to renovate the studios; they're just looking for ways to spend that money before the cable becomes deregulated. I see better uses for that money and I vote no.

The Chair, Pro tem:

Is there any further discussion on the bill itself?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	(Pres't Pro tem)

AYES 5 NOES 3

(MR. GRABOWSKI, MR O'MALLEY AND

MR. ROBINSON VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Robinson presented

Bill No. 1023

Report of the Committee on Planning, Housing and Development for July 2, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 951

A Resolution entitled, "Resolution authorizing the Mayor of the City of Pittsburgh to apply to United States Department of Housing and Urban Development for $697,700.00 to fund a Rental Rehabilitation Grant Program for the City of Pittsburgh."

Which was read.

Also,

Bill No. 952

A Resolution entitled, "Resolution authorizing the Mayor to enter into a Cooperation Agreement with Urban Redevelopment Authority of Pittsburgh regarding the Rental Rehabilitation Grant Program." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 953

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the below-listed Redeveloper for the sale of the following properties in the City of Pittsburgh (RESALE FOR REHABILITATION - NEW CONSTRUCTION - PARKING)."

Which was read.

Also,

Bill No. 954

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Annie W. Scates for the sale of Block 22-P, Lot 308 in the Twenty-First Ward of the City of Pittsburgh (RESALE FOR REHABILITATION)."

Which was read.

Also,

Bill No. 955

A Resolution entitled, "Resolution approving the execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Ann Mahaffey for the sale of Block 22-D, Lot 175 in the Twenty-Fifth Ward of the City of Pittsburgh (SIDEYARD)."

Which was read.

The Chair, Pro tem:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods (Pres't Pro tem)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 950

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Clean Cities Committee, a non-profit corporation, for the purpose of employing economically disadvantaged youths to clean up and/or landscape City neighborhoods." (AS AMENDED IN COMMITTEE)

Which was read.

Michelle Madoff:

I was not here and I don't know what else was added. I think there are a lot of things that could be done with the Clean Cities Committee; for example, I see other cities with tarpaulins on their trucks, our's don't have tarpaulins, the police don't give out citations, it's not a primary issue. I feel very much the way my colleagues do about what we need to do to improve this whole program but I cannot see myself holding up the money and keeping youngsters from earning money that's desperately needed in an area where we really have a depression.

So, again, I'm going to vote for something for the wrong reason.

Mr. Robinson:

Mr. President and members of Council, this bill has generated a great deal of controversy, all of which is not centered on the bill. I'd just like to make a couple comments.

Last Wednesday when this bill was in Committee I abstained at that time because I felt there was some additional information I wanted to gather and share with Council. I'd like to do that at this time and also offer an amendment and hopefully Council will support that amendment to the bill.

First of all, I think that we must keep in mind the critical unemployment situation that exists in our City for our youth. Our youth unemployment in some communities like the black community is 40 and 50 percent. That's a very unhealthy situation for our City economically and socially. Certainly Council Bill 950 speaks in part, a small part of course, to that issue of reducing on a temporary basis some of the youth unemployment in our City. As many of you may know, the National Conference of Black Mayors has suggested that the wage rate for youth be adjusted below the minimum wage. That suggestion, their proposal, has generated a good deal of discussion. I would suggest that in the future we begin to look at that in terms of attempting to adjust our national policy relative to wage rates for youth if for no other reason those young people who are severely affected by unemployment who in many instances will never have a job need some

structural change that will allow them a chance to go to work at a livable wage and at the same time we need to create a situation that does not threaten those adults who also need work. I have copies of the position of the National Conference of Black Mayors for those who would like to peruse it at a later time

Getting back very specifically to 950, I think that one of the concerns that has been expressed is whether or not the monies that will be going to the Clean Cities Committee should come out of Community Development Block Grant Funds. I don't think that there's any doubt that the project is eligible and that it's a worthy expenditure of $150,000. But I do think that there is a question as to whether or not Pittsburgh Clean City couldn't look to another source to employ 200 youngsters in our City. The City of Pittsburgh possibly will be eligible for another $1.5 million in summer jobs funds. A bill is pending in the Senate and it's my understanding that that bill will pass and that the President will sign it. Therefore, we certainly will have sufficient funds to hire additional young people.

I would like to make an amendment to Council Bill 950, Section 3, which would read: "The City of Pittsburgh shall be reimbursed for all expenditures pursuant to Council Bill 950 if the Pittsburgh Clean City Committee is determined to be eligible for summer youth employment funds that are a result of any additional allocations to the City of Pittsburgh subsequent to the final passage of Council Bill 950."

That would in effect, if indeed the monies become available, it would in effect reimburse the City of Pittsburgh $150,000 and that money would come from any supplemental appropriation we receive from the federal government.

Mr. O'Malley seconded the motion.

Mr. Grabowski:

Discussion on this amendment. I think it's an excellent amendment; one thing I'm concerned with though is the format used here. I'd like to ask Councilman Robinson if the City Clerk was notified of this amendment and if it was put in writing.

Mr. Robinson:

No, the City Clerk was not notified of this amendment and it was not submitted in writing.

The Chair, Pro tem:

Steve, for an amendment you don't have to put it in writing or notify the City Clerk. You can do it just as Councilman Robinson did.

Mr. Grabowski:

The Rules of Council state otherwise, Mr. President.

The Chair, Pro tem:

Well, I don't happen to have the rule book in front of me but I know it's been done many many times in the last three years that I've been on Council and no one has ever objected to it.

Mr. Grabowski:

I've objected to it in the last several months.

The Chair, Pro tem:

I'm going to rule the amendment in order and it's been seconded so we'll take a vote on it.

Mr. Grabowski:

Mr. President, I'd like to question the Chair, the ruling of the Chair. Perhaps the Parliamentarian can shed a little light on this matter.

Parliamentarian:

You can appeal the ruling of the Chair and vote on it.

The Chair, Pro Tem:

Do you appeal the ruling of the Chair?

Mr. Grabowski:

I appeal the ruling of the Chair that this amendment is in order at this point.

The Chair, Pro tem:

That it's out of order?

Mr. Grabowski:

That's it's in order.

The Chair, Pro tem:

I just put it in order. I said that I ruled your objection out of order.

Mr. O'Malley:

If I might, Mr. Chairman, I think what we need is a clarification from the Parliamentarian, does Mr. Robinson's amendment have to be in writing. I think that's what we need.

The Chair, Pro tem:

No, I've ruled and Mr. Grabowski would like Council to overrule me. You have to vote to overrule me.

Mr. Wagner:

Mr. Chairman, I'd like to make a comment. Bill No. 950 has had significant controversy in the last two weeks and I totally agree 100 percent with Mr. Grabowski's opinion that an amendment should be in writing and on the floor and I support him on that issue. I'm just wondering if we're going to become involved in delaying a bill further due to a technicality here in Council.

The Chair, Pro tem:

Not as far as I'm concerned.

Michelle Madoff:

We're voting to see if we overrule you, is that it?

The Chair, Pro tem:

On Mr. Grabowski's motion to overrule the Chair. All in favor? Opposed? The opposed have it.

Now on the amendment. Would you please have the roll call vote?

Mr. Givens:

Bill, I had a little bit of a hard time understanding you and your first comments. Could you just briefly summarize what this amendment is? Is it going to increase monies to the ones who are working out there, increase their wages or what?

Mr. Robinson:

The essence of the motion is that if the Pittsburgh Clean Cities Committee is eligible for any additional summer youth monies that will be coming to the City of Pittsburgh and if they apply and receive those monies they

would reimburse us up to the maximum of the $150,000 that we are making available to them for their summer clean-up program. It's simply a way of making sure that if additional monies are available in the City to hire young people and Pittsburgh Clean Cities apply for them that they give us our $150,000 back. If they get $100,000, they give us $100,000 back. If they get $60,000, they give us $60,000 back.

The Chair, Pro tem:

And if they get nothing, we get nothing.

Mr. Robinson:

It's based on a pretty good feel that there will be another $1.5 million in summer youth funds coming to the City of Pittsburgh. Pittsburgh Clean Cities is an eligible agency; they have contracted with us before, they will be contracting with other public agencies. Some members of Council have felt that perhaps Pittsburgh Clean Cities is depending too heavily upon public funds for their employment programs. This is a way of trying to address that concern by indicating that we would like them to pay the City of Pittsburgh back if indeed, subsequent to the signing of this legislation, they find that they can get some addition summer jobs funds, they apply for them and receive them.

The Chair, Pro tem:

Is there any further discussion on the amendment?

And on the question, "Shall the amendment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods (Pres't Pro tem)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the amendment passed finally.

The Chair, Pro tem:

On the bill as amended?

Mr. O'Malley:

If I might make one short statement. What I read in the Press and heard on the radio concerning this one piece of legislation about this Council, as far as I'm concerned is altogether incorrect. The issue was not this particular piece of legislation, whether we fund possibly 200 econimically disadvantaged youth or not. The issue was, does this Council or members of this Council have any input into what programs are funded and as far as some of the department heads of the City of Pittsburgh are concerned, they would prefer that members of this Council have no input into what projects we feel are worthwhile.

Now, myself, I have a project that I'm concerned about, it's called Pittsburgh Action Against Rape, which members of this Council voted unanimously for last year to fund for $50,000. They counsel hundreds of women that have been sexually abused or raped and many, many children under the age of four years old that were sexually abused. Now, if I had a choice of two programs, only two programs to fund, one was for the youth to cut grass in the

park or to fund Pittsburgh Action Against Rape, which was a counselling group for battered women and for abused children, I would have to vote for my share of the funds to go to Pittsburgh Action Against Rape.

That was the whole question that myself and members of this Council were trying to make. Do we have input as to where CDBG funds go or do we not? I think that's something that the Press and the radio should take into account. It's not the program; it's how do we spend that money and does members of this Council, as an elected body, have any input or is all the input going to come from appointed department heads? Myself, I support myself and my colleagues that certainly think that we have a right to have an input as to how these funds are expended.

Michelle Madoff:

I think this is the third time today that the issue has come up in one form or another. Council refuses at this point, now that we're getting to 5-4 votes, it used to be 4-5, now we're going to have the five votes, we refuse to be window dressing for the Administration and we want to have some input on what we feel is meaningful. That does't mean to sav that we don't support this program. I think that's really the gut issue but, I'm not going to drop it there, I'm going to be very brief, Mr. Woods and myself were in Baltimore last Friday and we talked to the fiscal analyst of Baltimore and that is where on these issue where somebody like that could be extremely helpful. I don't think we convinced Mr. Woods; we'll address that when the bill comes up.

Mr. Wagner:

I'd like to follow up on Mr. O'Malley. He made some excellent points and to further prove his point about Council being taken for granted, we found out last week on the day on which we were voting on this bill that the disadvantaged youth, the 200, were actually out there working prior to the vote on this bill. If that isn't taking this Council for granted I don't know what is. With my comment I am asking the question, and I want to find out publicly, who initiated or told the Clean Cities Committee to put those people to work that day, or was it the Clean Cities Committee?

Mr. Robinson:

If I might answer Mr. Wagner's question. I think Mr. Wagner's question is very much appropriate. I've shared this information with Council in our Committee session. I was the individual who indicated to the Planning Department to prepare the original legislation for Pittsburgh Clean Cities Committee. I did that for a couple reasons; one, not only did I believe in the project and the program, I believed that putting these young people to work was of utmost importance given the nature of our youth unemployment problem in the City and certainly to find history of Pittsburgh Clean City and moving forward. There were also some other youth programs beginning in the City and there was a great interest on the part of the Executive Director of Pittsburgh Clean Cities, Maribeth Salley, to make sure that this program started simultaneous with the other programs to prevent young people from moving from one program to the other and to maximum the number of young people to be hired.

Subsequent to that action, the bill actually being introduced into Council and being discussed, I again discussed with Maribeth Salley the obvious difficulty that some members of this

Council, perhaps the majority of the members of this Council had, not only with the legislation but with the process of allocating Community Development Block Grant Funds. I had indicated to her when we had our first discussion that I though this bill would run into difficulty in this Council because of our continuing concern about the allocation of CD funds and that some members of Council would object to this bill, not because of its merits but because of the process which produced that particular piece of legislation and others that the Administration were recommending to this Council.

I think that it's fair to say that there was a great deal of interest on the part of the people of Pittsburgh Clean Cities to move forward. There were a number of persons who had already been hired, who were ready to go on July 2. I indicated to Ms. Salley that if she took any action to put these people to work, that the Pittsburgh Clean Cities Committee will have to bear the responsibility for paying them if in the event Council did not, did not, support the appropriate legislation to pay them. That legislation is before us today. I am proceeding with the knowledge that Pittsburgh Clean Cities Committee has hired roughly 200 youngsters in this City and some supervisors at their own expense and that they are anticipating that somewhere, somehow, someday, the City of Pittsburgh will pay the cost. It was never my intention to commit this Council to paying for 200 youth workers but it was my intention to try to move the legislation. I explained that to members of Council but there was no authorization to hire anyone based on the fact that this Council was going to approve any legislation. This Council has not approved any legislation, this Council has not approved the expenditure of one dime by the Pittsburgh Clean Cities Committee.

Michelle Madoff:

This Council has always allowed that to happen.

Mr. Wagner:

In other words, Mr. Robinson, what you're saying is that the Administration took it on their own to initiate the work and if in fact this bill did not pass these dollars would have come out of the general operating fund to pay these youth.

Mr. Robinson:

It was my understanding that Maribeth Salley, on behalf of the Pittsburgh Clean Cities Committee, was going to hire the supervisors and the youth in anticipation that Council and the Mayor would eventually approve Council Bill 950. There was no official notification given to the Controller's Office or anyone else to pay any bills on behalf of Pittsburgh Clean Cities.

The Chair, Pro tem:

I believe, I know I was asked if I would vote in favor of it and I said yes I would and I believe, I don't know, I'm just saying, I believe Maribeth Salley came to all of us or at least part of us to ask. Perhaps that's where she felt she had the five votes or six, whatever it was, that might have been it. But since that time, last Wednesday, we've all signed a prior approval letter, other than Michelle, to go ahead with that project.

Michelle Madoff:

Michelle voted for it originally.

Mr. Givens:

Ben, was that dated back to Monday then? If it wasn't then they're

going to have two days, Monday and Tuesday, out of one code account —

The Chair, Pro tem:

It was dated the day we signed it.

Mr. Givens:

There's going to be two days in there that they are not going to be paid out of that code account.

Mr. Wagner:

The significant point that needs to be made here is that a procedure that should be met 100 percent of the time is being violated. This is not the only time that this has occurred and I believe this Council needs to send a message to whatever parties in the Administration that no work can proceed on anything unless they have our approval. They can't anticipate our approval because we found out last week that with this particular issue it blossomed into another issue and it really had nothing to do with Bill No. 950. As a matter of fact, I'll state publicly, I compliment my colleagues for the comments that were made in regard to the input by all Councilmembers to the use of ULO funds because I thought last week was a significant move forward for this Council in a democratic process. But I would like this Council, and I'm making a motion to do that, to send a letter indicating that no department in this City can move on any particular piece of legislation until that legislation is passed.

Mr. Robinson seconded the motion.

Which motion prevailed.

Michelle Madoff:

And may we all have every signature on that letter? Can we have every signature on that letter? I'd like every member of Council to sign that letter.

The Chair, Pro tem:

I believe the letters are worthwhile but I believe after last Tuesday they got the message anyway.

Michelle Madoff:

They've been getting the message for six years.

The Chair, Pro tem:

Roll call vote on Bill No. 950, as amended.

Mr. Givens:

I vote aye and I'd like to have the remarks of my fellow colleagues next to mine and their feelings about this particular bill, that of Councilman O'Malley and Councilman Wagner.

(MR. GIVENS' REMARKS ON BILL NO. 950 FROM 7/2/84)

Mr. Givens:

The discussion is very simple, and if I have to take the bull by the horns, I will do so. Bill Robinson received a report, all in this Council received a report, we had a subcommittee, or at least Bill Robinson had a subcommittee meeting last Wednesday which most of the Council people had attended, there was a sheet put out here of all our Unspecified Local Option monies sheet one, previously funded projects recommended for funding page 1, total of $800 and some thousand dollars; project-New Projects recommended for second round of consideration total sum of $927,000.00 and page 3 comes out to $1.1 million and $30 thousand; there are

many worthy programs and projects and Council, some Council members as I feel that if we leave one go through then you are going to open up the flood gate and leave others to go through. I think all of us want Clean Cities, there's no one I think doesn't want to fund that particular program, however, we were suppose to have sat down back at budget time, we said we were going to do this in January and February that we would get into this Unspecified Local Option areas and here we are on June and discussing the issue when we get the money in May, it's too late to do it and the feeling is to leave one go through and not the others, it's to say you are putting this priority over many other worthy priorities, projects adn some of them are going to have to be cut.

Now, it might have to be Clean Cities, when it comes down to it, but I don't think so, but I think we have to discuss it as a body and as a whole and that is the feeling of most of the people and we must sit down together as a body and Ben you indicated at that subcommittee meeting that you would have a meeting tomorrow, Tuesday, and yet I have seen so schedule of that meeting, you mentioned that to me, but maybe I am wrong and maybe I am hard of hearing, but others heard it to.

(THE CHAIR COMMENTS)

Mr. Givens:

Have you then had the opportunity to relay that information to the other Council members?

(THE CHAIR COMMENTS)

Mr. Givens:

Do you feel then we should pass on this bill until we receive that information?

(THE CHAIR COMMENTS)

Mr. Givens:

You are going to vote for regardless of what happens, but we are aware of that dialogue that went between you and the Mayor and I think this Councilmember wants to hear what happpened and because I have to vote on this one bill, I don't want to have to deny it, Clean Cities, they are just youths, but I don't want to deny three pages worth of people that are under Unspecified Local Option that this Council must vote on also and some of them are sitting out there hanging on by their toenails right now because we delayed the process up to this point and any each week delay means that some of them are coming into calamity type situations out there as well as this particular bill before us, but there are other bills too and we must sit down together and work this out together and if we don't do that, then my vote is not forth coming and it has nothing to do with Clean Cities, it has to do with the total package.

(END .- MR. GIVENS' REMARKS ON BILL NO. 950 FROM 7/2/84)

Michelle Madoff:

I vote aye because we have to put the disadvantaged youth to work no matter what is happening. We don't punish people for other people's mistakes.

The Chair, Pro tem:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods (Pres't Pro tem)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. O'Malley:

I'd like to make one short comment in regard to Bill 950. I think it would also be appropriate, so this Council doesn't have to go through another agonizing week or two weeks, that we direct Mr. Perry to send a letter to Mr. Lurcott and to Mr. Young, this has been requested by Councilman Robinson a number of times, not to send any more legislation to this Council concerning Unspecified Local Option funds until we have a clarification of the new process to be implemented. What I'm saying is if another piece of legislation comes up to this Council next week, we're going to have the same problem because a new process has not been implemented on the disbursement of these funds.

The Chair, Pro tem:

Jim, we can discuss this after we pass our bills but to be honest with you, we can't stop the Administration from sending up any bill. They can send it up; whether we entertain it or not is another subject but they can send it up.

Mr. Robinson:

Mr. President, to address Mr. O'Malley's concern, I have discussed with Mr. Lurcott and Mr. Young Council's continuing concern about the allocation of Community Development Block Grant funds in the process and the process by which those are allocated. I can assure Mr. O'Malley that there will not be any additional legislation until the issues are resolved. Council has my word.

Mr. Grabowski presented

Bill No. 1024

Report of the Committee on General Services for July 2, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 944

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the purchase and delivery of Jack Stands, Floor Stands, Transmission Jack and Portable Hydraulic Ram for the Department of General Services, Code Account 4-30-01-0001-83, (SD 83-01), Index Code 370106, Miscellaneous Equipment, for payment thereof."

Which was read.

Also,

Bill No. 945

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts; or for the use of existing Contracts for the purchase and delivery of One (1) Hydraulic Vehicle Lift for the Department of General Services, Code Account 4-30-01-0001-83, (SD 83-01), Index Code 370106, Miscellaneous Equipment, for payment thereof."

Which was read.

Michelle Madoff:

Mr. Grabowski, do you happen to know if any of these are repossessed, used items?

Mr. Grabowski:

No, they're brand new.

Michelle Madoff:

I would like to hold it for a week and find out why they were not repossessed because we could be getting a lot more equipment for our money and we're short of equipment, desperately short of equipment.

The Chair, Pro tem:

What bill do you want to recommit?

Michelle Madoff:

Both bills. The idea is that we were told they would be putting it out for repossession. With all the companies that have gone out of business here would could be getting practically new stuff on repossession and saving a lot of money and most of it's still on warranty.

Mr. Robinson seconded the motion.

Michelle Madoff:

I'd like a roll call vote. It seems that some people didn't vote.

Mr. O'Malley:

On the recommittal? That will come back up this afternoon in Committee and you'll have an opportunity to ask questions. Is that what you're saying?

Michelle Madoff:

If they're here.

Mr. O'Malley:

I vote aye because I think all Councilmembers are entitled to information pertinent to legislation.

The Chair, Pro tem:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff	Mr. Robinson
Mr. O'Malley	
AYES 3	NOES 5

VOTING NO:

Mr. Givens	Mr. Wagner
Mr. Grabowski	Mr. Woods
Mrs. Masloff	(Pres't Pro tem)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

The Chair, Pro tem:

Is there any discussion on the bills themselves?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't Pro tem)

AYES 7 NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff:

For the Record, the reason I'm voting no is because I didn't have information.

Mrs. Masloff presented

Bill No. 1025

Report of the Committee on Parks and Recreation for July 2, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 947

A Resolution entitled, "Resolution providing for an Agreement or Agreements with an independent contractor to provide professional services in connection with the Department of Parks and Recreation's Summer Food Service Program."

Which was read.

Also,

Bill No. 974

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Homewood-Brushton Athletic Association for professional services in connection with their 1984 Baseball Program providing for the payment of the cost thereof in an amount not to exceed $5,000.00 and transferring the sum of $5,000.00 from Code Account 10, (Index Code 001008) Accounts Payable-Prior Years, to Code Account 1838, (Index Code 183806) Miscellaneous Services, Department of Parks and Recreation."
—(SPONSORED BY MRS. MASLOFF AND MR. ROBINSON)

Which was read.

The Chair, Pro tem:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
	(Pres't Pro tem)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Wagner presented

Bill No. 1026

Report of the Committee on Engineering and Construction for July 2, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 957

A Resolution entitled, "Resolution further amending Resolution No. 811, effective August 25, 1980, as amended by Resolution No. 1376, effective December 31, 1980, as amended by Resolution 402, effective May 1, 1981, entitled: 'Providing for an Agreement or Agreements or Supplemental Agreement or Agreements with an Engineering Consultant for Professional Engineering Services in connection with Steuben Street Sidewalks and retaining wall (PW 80-30); and providing for the payment of the cost thereof,' by increasing the total allocation by $567.89."

Which was read.

Michelle Madoff:

Mr. Wagner, on Bill 957, if you notice in paragraph three, it gives the name of the consultant and who the principle is. We're starting to be treated like maybe we're here and not window-dressing. Thank you.

The Chair, Pro tem:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods (Pres't Pro tem)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 982

A Resolution entitled, "Resolution further amending Resolution No. 1210, effective January 1, 1984, entitled: 'Resolution adopting and approving the 1984 Capital Budget and the 1984 Community Development Block Grant Program; and approving the 1984 through 1988 Capital Improvement Program,' by increasing a line item and by adjusting the Summary Totals."

Which was read.

The Chair, Pro tem:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't Pro tem)

AYES 7 NOES 1

(MR. GIVENS VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Robinson:

Mr. Chairman, if I might make a couple comments before you go to the formal resolutions, I just want to make a couple comments on the scheduled tentative Michael Jackson tour that might come to the City of Pittsburgh and the relationship of this tour to my concern about the Amusement Tax.

I think there are those who perhaps believe that because Michael Jackson and his brothers might come to our City in October, therefore the issue of the Amusement Tax being a detriment to stimulating the entertainment business in the City has been resolved, I think it's far from resolved and I'd just like to share a little bit of information.

Later today we will be considering a bill relative to the Amusement Tax. First of all, I think that we should keep in mind that the dates that are available for Michael Jackson's Victory Tour to come to our City are open dates and are dates that are under the control of the Stadium Authority through Spectacor. Those dates were available when the tour was originally put together as were possibly other dates. Obviously the Stadium Authority has a primary responsibility to both the Pirates, the Steelers and the Maulers, so that only leaves a few dates available. But those dates were originally available and our Amusement Tax was in place when those dates were available.

Also I think it should be mentioned that Spectacor is under agreement to the Stadium Authority to manage the Stadium for I believe roughly $186,000 a year. So they have a subsidy. As a promoter, they're going to be subsidized to the tune of roughly $186,000. They get money whether Michael Jackson comes or does not come. The Amusement Tax is still in place. Also, they get an additional fee for additional events and I believe that if the Victory Tour comes to our City under a signed agreement that there will be at least another 15 percent that the Spectacor people can anticipate from the gross sales. The Amusement Tax is still in place.

The point I'm raising is that for a promoter that has the kind of advantages that Spectacor would have, they could bring Michael Jackson to this town and they probably could absorb the 10 percent amusement tax. Unfortunately, there are very few Michael Jacksons and there are very few Spectacors who have the kind of situation they have as a subsidized promoter. For the average promoter that makes a living at this from day to day that does not have a major facility to run and does not have a major subsidy, it would be rather difficult to bring a Michael Jackson here and other major entertainment and still absorb the 10 percent amusement tax.

I'd just like to share some information with members of Council. that unfortunately has not been widely publicized in the media. When you look at the cities where the Jackson is going to go, it's interesting to note whether or not there's an amusement tax. Texas Stadium in Irving, Texas, no amusement tax. The Gator Bowl in Jacksonville, Florida, no amusement tax. In Knoxville, Tennessee at Neyland Stadium there is a 5 percent city admissions tax and a proposed 5 percent county tax which is being challenged in court. The reason

this tax was imposed was Lionel Richie, a very popular rock star, was in Neyland Stadium, walked away with a bundle of money, and the County Commissioners decided they ought to impose what they call a county tax. Some promoters immediately went to court. This is big business that we're talking about and taxes certainly represent part of the overhead. The Silver Dome in Pontiac, Michigan, no amusement tax. The Inglewood Forum in Los Angeles, California, no amusement tax. Rich Stadium in Buffalo, New York, no amusement tax. Anaheim Stadium in Anaheim, California, no amusement tax. And so that no one would think that I'm trying to stack the deck, if you go to Cleveland, Ohio and go to Cleveland Stadium as the Jacksons anticipate, the amusement tax is a whopping 3 percent. They're going to be in Philadelphia at Veterans Stadium and the amusement tax is 4.7 percent.

Again, I suggest that the Amusement Tax is a detriment to the continuing development of this City as an entertainment center and we would be wise to seriously consider eliminating or reducing that tax and that indeed I think our gross revenues, tax revenues, will increase as well as other revenues to the City.

Thank you.

The Chair, Pro tem:

Thank you, Mr. Robinson.

If I may, I would like to recess this meeting, go into the Committee Meeting, recess that, and then come back and do our resolutions. By law we have to be into that Committee Meeting now.

Mrs. Masloff moved to excuse Mr. Stone for absence from the meeting.

Mr. Wagner seconded the motion.

Which motion prevailed.

And on the motion of **Mrs. Masloff**

Council recessed.

And the time of recess having expired, Council reconvened and there were present:

PRESENT:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods (Pres't Pro tem)

ABSENT:

Mr. Stone

The Chair, Pro tem:

The Legislative Meeting will now come to order from the recess. Michelle, your resolution.

Michelle Madoff:

If I could please ask Bill Wetzelman, Liz Hughes, Robert Kennedy, Joe Hughes, and Molly Rush to please join me.

Michelle Madoff presents

Bill No. 1027 WHEREAS, the Council of the City of Pittsburgh proposed and the voters approved, an amendment to the City Home Rule Charter requiring the Mayor to report annually on the taxes paid by citizens of the City for military pruposes and the impact of military spending on jobs and social services in the City; and

WHEREAS, the spirit of the amendment as reflected in the statements of its supporters in Council and testimony given by members of the public on its behalf is that an excessive amount of the tax paid by citizens of Pittsburgh is spent by the military and such spending has an adverse impact on jobs and social services; and

WHEREAS, this position is supported by ample evidence furnished to the Mayor; and

WHEREAS, the Mayor has submitted a report finding that military spending is economically beneficial to the City; and

WHEREAS, it is the sense of a number of citizen groups that the Mayor's report is based on faulty data and reasoning.

NOW, THEREFORE,

BE IT RESOLVED, that Council recommends that the Mayor establish and Advisory Committee composed of qualified labor, business, academic and citizen representatives to: discuss research methods for the 1984 study; recommend qualified persons to conduct the study; and to review initial drafts of the 1984 Mayor's Report.

BE IT FURTHER RESOLVED, that Council calls on the Mayor to submit a new 1983 report consistent with the spirit of the Charter Amendment.

Michelle Madoff moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Mr. O'Malley:

I can support the amendment, Michelle, because I'm in agreement with most parts of it. I would have a hard time supporting it if we were to call on the Mayor to submit a whole new 1983 report.

Michelle Madoff:

I was wondering about that. I think its more important that we get on with the business. I would personally be willing to support your deletion of the '83 because it's spilled water but I would like to know that '84 is going to be meaningful and substantive and I think that half a victory is better than no victory at all because we won't get the report from the Mayor, we just won't get it. I think the important thing is that we go with the '84 and get what we need because we're approaching on the '84 —

Mr. O'Malley:

I think we're all in agreement that the '83 report leaves a lot to be desired.

Michelle Madoff:

I'll withdraw that particular section if that's acceptable. So the resolution as amended will be:

Bill No. 1027 WHEREAS, the Council of the City of Pittsburgh proposed and the voters approved, an amendment to the City Home Rule Charter requiring the Mayor to report annually on the taxes paid by citizens of. the City for military pruposes and the impact of military spending on jobs and social services in the City; and

WHEREAS, the spirit of the amendment as reflected in the statements of its supporters in Council and testimony given by members of the public on its behalf is that an excessive amount of the tax paid by citizens of Pittsburgh is spent by the military and such spending has an adverse impact on

jobs and social services; and

WHEREAS, this position is supported by ample evidence furnished to the Mayor; and

WHEREAS, the Mayor has submitted a report finding that military spending is economically beneficial to the City; and

WHEREAS, it is the sense of a number of citizen groups that the Mayor's report is based on faulty data and reasoning.

NOW, THEREFORE,

BE IT RESOLVED, that Council recommends that the Mayor establish and Advisory Committee composed of qualified labor, business, academic and citizen representatives to: discuss research methods for the 1984 study; recommend qualified persons to conduct the study; and to review initial drafts of the 1984 Mayor's Report.

Michelle Madoff moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Liz Hughes:

I'd just like to say in keeping with the tone of Council today saying that they intend to operate in a more democratic way and no longer just be more or less pawns of the Administration that this resolution is in keeping with that and to see that the Mayor does carry out the referendum and we as a Jobs With Peace organization will take your resolution to him to see that he does carry out the wishes of Council and the citizens of Pittsburgh.

Michelle Madoff:

I'm glad you're going to take it and hand deliver it because we'll be sending it through the mail and I'm afraid it will go in the circular file or it will be another window-dressing kind of whitewash that we saw in '83. I think you're going to have to personally see that some of these people that are appointed and submit names to the President of our Council are people who would be qualified to sit on this board, who would have the expertise. Otherwise, it's going to be a lot of rhetoric and I hate like anything to get up here and just sound like I'm doing something when I really want to do something.

Joe Hughes:

I would like to add for those viewers at home and for the people in the audience that maybe aren't aware, in November of 1982 this Council overrode the Mayoral veto to put a question on the ballot generically described as a Jobs With Peace question. That question stated, do we want the Mayor to make an annual report on the effects of military spending on our local economy. How much of our tax dollars, and that effects every one of us, Councilmembers and all of us, go into the military and what effect does that have on our local ecomony, particularly with reference to jobs? I've been in Council many times and every piece of legislation it seems to me that Council discusses, it gets back to the money. Where's the money? From our perspective, from the Jobs With Peace group, community group, we know where the money is. It's our tax dollars and we know where it is and we say it should be here in our community. We're not more secure with more weapons; we're more secure if we have a comfortable safe life and a community.

So, I commend this Council for putting that question on the ballot and when it was requested of this organization, who did we want to be here to accept it and to have a photograph taken, etc., I thought sitting out here of the over 44,000 citizens who voted in November of '82 saying that they did want this information, it was important to them and they supported this effort. So, I again, on behalf of those voters and this Jobs With Peace group, would like to commend the Council, to say you've taken a strong position. You did it before when you overrode the Mayor's veto, saying that you feel that this information is important because it's our perspective that when a study is done and a conscientious effort is made, what it will show is that military spending is not good for our community and it is denying us jobs. Then we can move forward and maybe change the priorities and get some of those much needed dollars into our communities, Pittsburgh and all communities.

The Chair, Pro tem:

Thank you.

Mr. Givens presents

Bill No. 1029 BE IT RESOLVED, that the Council of the City of Pittsburgh hereby urges the Mayor, the Civil Service Commission, and the Director of the Department of Personnel and Civil Service to write into the City's Civil Service Rules a method of appeal relative to the psychological testing of candidates for Police Officers which will prevent any candidate who appeals from being retested by the same psychological testing agency.

Mr. Givens moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Wagner for Mr. Woods presents

Bill No. 1028 WHEREAS, Muhammad Ali is the greatest heavyweight boxer of the modern era; and

He represented his country as a gold medal olympian; as a professional boxer he became the heavyweight champion of the world and held his title of eight years; he remains the only man to have won the championship three times; and

We honor Muhammad Ali for more than his skill as an American athlete; we honor him as a man devoted to his religious beliefs; and

The energy that was devoted to the making of a champion is now channeled into his devotion of his God and his religious fellowship; and

In his success and triumphs, Muhammad Ali has become a symbol for he achieved greatness without sacrificing his identity or integrity.

NOW THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh proclaim Wednesday, July 11, 1984, "Muhammad Ali Day" in the City of Pittsburgh.

Mr. Wagner moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mrs. Masloff moved to excuse Mr. Stone for absence from the meeting.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mrs. Masloff moved to approve the Minutes of Monday, June 11, 1984, and Monday, June 18, 1984.

Mr. Wagner seconded the motion.

Which motion prevailed.

And on the motion of **Mrs. Masloff**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, July 16, 1984 No. 29

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, July 16, 1984

PRESENT:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

ABSENT:

Mrs. Masloff

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Wagner:

Mr. President and members of Council, this coming week we have the 30th reunion of the Third Marine Division in the City of Pittsburgh and we have a resolution today honoring that division and the reunion. I'd like to ask the members that are playing an important part in organizing that reunion to step forward; Mr. Benjamin Byrer who is the PR Director, Mr. Edward Piet the Vice President of the reunion, Mr. Barton and I believe we have Steve Palsa here.

Mr. Wagner and Mr. Woods present

Bill No. 1062 WHEREAS, the Fortieth Anniversary of the D-Day Invasion has brought the Nation's thoughts to our liberation of Europe, and it is equally fitting that we remember the men on the other side of the world; and

Early in the Second World War, world leaders agreed that Europe must be won before resources and manpower could be expended in the Pacific theatre; and

Until that time, the Pacific war had to be waged primarily by one relatively small group, "The United States Marines;" and

While the Nation's efforts went to Europe, the Marines won the Pacific, island by island; and

Paramount in the effort was the Third Marine Division; and

Activated in September, 1942, less than one year later, the Third Division was stationed on Guadalcanal. On November 1, 1943, the Third Division was part of the assault on Bougainville. By January of the following year, their job complete, the Third Division returned to Guadalcanal to train for future battles; and

They did not have to wait long. That July, the Third Division landed on the beaches of Guam. The Division stayed on Guam until they moved on to take part in the Battle of Iwo Jima in February, 1945. It was the Third Division that delivered the final blow to the enemy at Iwo Jima on March 16, 1945.

Defenders of the peace in Japan during the 1950's, the Third Division was back in combat in the 1960's in Vietnam. Landing at DaNang, the Division took part in major operations. At Quang Tri , Khe Sanh, and operation Dewy Canyon, the Third Marine Division earned its reputation as a premier fighting force and guardian of our peace; and

Today the Third Division remains as our "Force in Readiness" in the Far East.

NOW THEREFORE, BE IT RESOLVED, that Pittburgh City Council, on behalf of its citizens, welcomes the Third Marine Division Association and their Thirtieth Annual Reunion.

Mr. Wagner moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Wagner:

Prior to letting Steve say a few words I'd like to mention that I feel very honored to have the Third Division pick the City of Pittsburgh, being a member of the Third Marine Division myself, and we are also honored to have our former President of Pittsburgh City Council, Mr. Jeep DePasquale who is a member of the Third Division also.

This Council, gentlemen, has supported efforts to enhance the veterans in this City of Pittsburgh, that includes all members of the City. As a matter of fact, we have a statistic in Allegheny County where we have more veterans than any other county in the entire country. We're very proud of that and we're very proud of the fact that you've chosen the City of Pittsburgh for your 30th reunion.

Mr. Steve Palsa:

In fact, they chose Pittsburgh and you took a couple of my key words away; I did want to mention Mr. DePasquale and Mr. Wagner being members of our organization. We would like to invite everyone here present to visit our hospitality rooms, men and women alike. We'll be at the Marriott from the 18th to the 22nd.

Michelle Madoff:

Which Marriott?

Mr. Palsa:

In Greentree. A couple wings are segregated for our use alone and there are also a couple wings for the Crown Princess of Saudi Arabia so don't get us mixed up because she is under heavy guard.

I will first of all acknowledge with

thanks the resolution that was most well written. We do get resolutions and resolutions but this one was a beauty. What we are going to have although we corporals and sergeants are running the affair, our guest of honor will be Cal Killeen who played for Central Catholic and Annapolis, a Two Star General now retired; our speaker will be a Lieutenant General, that's Three Stars, Maloney who went to West View High School and John Hurt who is a Two Star General will also be present; he is in charge of the Reserves and he grew up on the North Side.

Again, thank you very much for the honor and come and visit with us.

The Chair:

Mr. Wagner, before we break here, I think we should at least at this time deal with someone who also went to Central Catholic and who was part of the Marine Division and at one time stood at this very podium where I am. That's Eugene Bartholomew DePasquale. Care to say anything Mr. DePasquale?

Mr. DePasquale:

Mr. President, members of Council, ladies and gentlemen, and especially the staff of Council who I've always held very dear to my heart, —

Michelle Madoff:

Everybody?

Mr. DePasquale:

Michelle, I can't say you're out of order. But I do think I say that Pledge of Allegiance a little better than you do, Bob, but that's a personal thing.

Seriously, I was over seas when the Third Division was formed, I believe, so I sort of preceeded them over seas and then when they got over there I was assigned to the division and I was very proud and happy and I stayed with them for over two years until I got discharged back in December of 1945.

It's a great honor that the City of Pittsburgh is going to hold the National Convention of the Third Marine Division and that people from all over the nation will be here; hopefully we'll see some of the old buddies. I look forward to that and I certainly know that the people in the Pittsburgh area are going to do this City proud and do the Third Marine Division proud.

Again, thanks to City Council for allowing me to say a few words; it's always a great honor to come back here to see my colleagues and see my friends. Let's hope as Mr. Palsa said that you will join us at the Marriott sometime during that convention because we'll make sure you enjoy yourselves. Thank you.

Mr. Wagner:

Mr. President and members of Council, I just wanted to mention that we also have the Clerk of Courts of Allegheny County here, Jack Kyle, who was also a Marine, a member of the Second Division. I'd also like to mention that George Wolf of Equibank is here and he's played a very instrumental part in putting all this together. We thank you.

Mr. Givens:

If I could have the attention of some of those Third Marine Division people, there's another resolution before us which deals possibly with some of your old buddies that you were in that Second World War with or WWII.

Mr. Givens presents

Bill No. 1060 WHEREAS, the citizens of our metropolitan area have traditionally shown great respect and honor for the American POW/MIA's who fought so courageously in the name of freedom; and

WHEREAS, throughout the history of our nation, in all wars and conflicts, more than 142,000 American servicemen were captured and interned, and nearly 89,000 others were lost in combat, their bodies never recovered; and

WHEREAS, more than 98,000 former prisoners of war are living in the United States today, 1,000 of them in our tri-state area; and

WHEREAS, there are still 2,489 American POW/MIA's unaccounted for from the Vietnam War, including 13 sons of the City of Pittsburgh; and

WHEREAS, the precious lives of these brave fellow countrymen are a constant source of heartache and anguish for their family and friends;

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh and the Mayor, on behalf of the citizens of Pittsburgh, do hereby honor and tribute all former prisoners of war for their dedication and sacrifices, and commend the vigilance of their loved ones who will not cease hoping for the well-being and expectant return of our MIA's, and

BE IT FURTHER RESOLVED that we proclaim Friday, July 20, 1984 as National POW/MIA Recognition Day in the City of Pittsburgh.

Mr. Givens moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Givens:

This is very tragic, if I might pause right here, 13 from our own City. From all the wars that we have fought, we have always recovered, and it's been the respect and the duty of men and women when they go into warfare that after that war is over that the bodies are given over after that battle is over that the white flags or the Red Cross flags are able to go out there and retrieve the dead from the battle field. There has only been one war that we have not recovered our dead, if they are dead, and hopefully many of them we hear from intelligence sources are alive. We have 2,489 men from that Vietnam era which includes Laos and Cambodia also.

If I can just stray a little bit, there was a woman whose daughter was raped and for two years she looked for that rapist. Can you imagine if you son or husband or uncle or whatever the case might be, is lost in warfare and you never have the finalization of a burial? I think that to our Christian Judeo faith that this is a very important facet of our life and one that should be respected, including other religions of the world where I've been.

If I could just make a comment, that's this coming Friday, at 10:00 a.m. in Veterans' Courtyard which is in the County Building, formerly known as Katie's Park. All of the Councilpeople are invited as well as other veterans that might be in town for that day especially knowing that the Third Division, maybe you could send a little representation down there at 10:00 get together on the 20th to give honor to those who have lost their lives, many of them your buddies. In talking to Jeep and many of the

stories that he had, as any veteran will talk about the various conflicts that they've been in in the privacy of one another, it was hell over there and many of the battles that Jack Wagner had mentioned, both in World War II and Vietnam and even in the Korean Conflict. So goes that historical flag of the Third Marine Division, so goes it for many other miliary units that have been fighting and will continue to fight. That's what gives this Country the mainstay of freedom. With all the kaos we might have, that's the beauty, that we're willing to sit down, lie down and fight and die, if need be, for our Country. And they have more young men and women volunteering for our armed services today, volunteering not drafted, than ever before and I think that's a tribute to our youth.

Thank you, Mr. President.

Michelle Madoff:

Mr. President, I have a resolution but before that I want to be sure that the resolutions by Mr. Givens and Mr. Wagner are forwarded to the President of the United States, to the candidates for President of the United States, and to all the leading representatives in Washington from our state, Heinz, Spector, etc.

It's meaningless to just have some rhetoric here. I would hope they know how we feel as a motion of Council representing the public.

Michelle Madoff presents

Bill No. 1061 WHEREAS, the role of women in our society needs to be expanded; and

WHEREAS, in March of 1984 Councilwoman Michelle Madoff, along with countless others, sent telegrams to Presidential Candidate Walter Mondale urging him to choose a female running mate; and

WHEREAS, Mr. Mondale has followed the advise of his many supporters and has deemed it appropriate to take an historic first step by choosing a woman vice-presidential running mate, Representative Geraldine Ferraro; and

WHEREAS, Ms. Ferraro is a three term congresswoman from Queens, New York who has been called a feisty rough around the edges independent who ran for re-election under the slogan "Finally a Tough Democrat"; and

WHEREAS, Mr. Mondale should be congratulated for having the courage and fortitude to further the interest of women in our government, in a country where barely 60 years ago women were not allowed to vote.

NOW THEREFORE BE IT RESOLVED that the Members of Pittsburgh City Council hereby congratulates and commends Walter Mondale for his historic choice of a woman running mate, Representative Geraldine Ferraro, and thanks Ms. Ferraro for being a source of inspiration for all women.

Michelle Madoff moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Givens presented

No. 1030 Resolution repealing Res. No. 973, appr. 9/25/80, eff. 9/29/80, entitled, "A Resolution granting unto Bank Center Limited, Suite 301, 307 Fourth Avenue, Pgh., PA 15222, its successors or assigns, the privilege and

license to construct, maintain and use, at its own cost and expense a Marquee, with illuminated identification and traveling message board to be erected over an entrance to its building. The Bank Center, 416 Wood Street, Pittsburgh, to project over the easterly sidewalk area, a distance of 11 feet 3 inches, face of Marquee to have a set back from face of existing curb of 1 foot and have a width of 15 feet with a minimum height of 10 feet 6 inches above the existing curb line." This action is necessary because an excessive amount of time has expired between the proposed construction and the actual construction.

Also,

No. 1031 Resolution amending Res. No. 1177, appr. Dec. 19, 1983, eff. Dec. 31, 1983, entitled, "A Resolution vacating Bland (Blanche) Street from Geyer Avenue to a 20 feet Unnamed Way (108.9± easterly) in the 27th Ward of the City of Pittsburgh," by extending the time from 60 days to 250 days for the payment of the sum of $250.00.

Also,

No. 1032 Communication from Louis R. Gaetano, Director, Dept. of Public Works, requesting authorization for Brother Richard Emenecker, F.S.C., to attend a conference sponsored by the National Association of Telecommunications Officers and Advisors - National League of Cities, in Tucson, Arizona, from Sept. 23-26, 1984, at a cost not to exceed $1,450.00 payable from the Community Communications Trust Fund, CC, Index Code #250555.

Which were severally read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 1033 Resolution providing for the transfer of funds in the amount of $190,000.00 from Code Account 1132-7, Index Code 113274, Utilities, to Code Account 1150, Index Code 115006, Outside Repairs.

Which was read and referred to the Committee on Finance.

Also,

No. 1034 Resolution providing for the letting of a Contracts and for the use of existing Contracts, for the maintenance, rental, inspection, or servicing of personal property and for the maintenance and repair of buildings, structures or any other properties in the custody of the various departments of the City of Pittsburgh, and for the miscellaneous services in and for all departments of the City of Pittburgh, and providing for the payment of the cost thereof.

Also,

No. 1035 Resolution providing for the letting of Contracts and use of existing Contracts for the materials, general supplies and equipment whose estimated cost will be in excess of $5,000.00 for use by the several departments of the City of Pittsburgh during the caldendar year 1985, and providing for the payment of the cost thereof."

Also,

No. 1036 Resolution providing for the advertising for proposals for equipment whose estimated cost will be in excess of $5,000.00 for use by the several departments of the City of Pittsburgh during calendar year 1985.

Which were severally read and referred to the Committee on General Services.

Michelle Madoff for Mrs. Masloff presented

No. 1037 Resolution providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pa., Dept. of Community Affairs, for a grant in connection with the Renovation of Mary Schenley Fountain providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Renovation, providing for required assurances; providing for the execution of payment vouchers on Letter of Credit; providing for the certification of authorized signatures; and for the deposit of funds into Unrestricted Cash.

Also,

No. 1038 Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting authorization for Carl Mancuso, Arch Herron, Jim Krashna, Francis Robinson, Bob Sneed, Debbie Hojonski, Polly Herron and Mary Bradley to travel to San Diego, CA on Wednesday, August 8-12, 1984, to attend the ARCO Jesse Owens Games National Championship Track and Field Meet, at no cost to the City of Pittsburgh.

Which were read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 1039 Resolution providing for the issuance of a warrant to Alvin Scott, 5565 Wellesley Avenue, Apt. 2, Pgh., PA 15206, in the amount of $483.00 for refund of the excess auction proceeds over the accumulated towing and storage charges. Chargeable to and payable from Code Account 32, Refunds, Protest Towing and Storage Charges.

Also,

No. 1040 Resolution providing for the issuance of a warrant in favor of the International Business Machines Corporation, P.O. Box 3025, Pgh., PA 15230, in the amount of $1,866.00 in payment for three (3) months rental of equipment due for April, May, and June 1984, chargeable to and payable from Code Account No. 1447 (Index Code 144709), Miscellaneous Services, Department of Police.

Which were read and referred to the Committee on Finance.

Also,

No. 1041 Communication from Charles Lewis, Chief, Dept. of Fire, requesting amendment of Council Bill No. 775 to read James McNally and Jack Faulkner instead of Ronald Boggess and Jack Faulkner. This change is necessary due to the fact that Ronald Boggess is on Workmen's Compensation, therefore, he is unable to attend. Use of a Fire Department vehicle is also requested.

Which was read and referred to the Committee on Public Safety.

Mr. Robinson presented

No. 1042 An Ordinance establishing procedures for the certification and selection of professional service providers for the City of Pittsburgh.
—(SPONSORED BY MR. ROBINSON)

Which was read and referred to the Committee on Finance.

Also,

No. 1043 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and John J. and Pauline DeFazio for the

sale of Block 4-L, Lot 192 (448 William), for the sum of $600.00, in the 19th Ward of the City of Pittsburgh (SIDEYARD).

Also,

No. 1044 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Matthew C. Bousquette for the sale of Block 23-E, Lot 66 (408 Jefferson), for the sum of $250.00 — Great House Sale, in the 25th Ward of the City of Pittsburgh (GARDEN).

Also,

No. 1045 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Matthew C. Bousquette for the sale of Block 23-E, Lots 67, 69, and 70 (410-414-416 Jefferson), for the sum of $750.00, in the 25th Ward of the City of Pittsburgh (GARDEN).

Also,

No. 1046 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment of Pittsburgh and James J. Frasca and Patricia A. Farwig for the sale of Parcel 213 (1317 Sheffield Street), for the sum of $1,500.00, in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27 (RESALE FOR REHABILITATION).

Also,

No. 1047 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Pilgrim Baptist Church for the sale of Parcel 294 (1710 Chateau Street), for the sum of $275.00, in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27 (PARKING).

Also,

No. 1048 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Various Redevelopers for the sale of various properties in the City of Pittsburgh (URBAN HOMESTEADING REHABS).

Also,

No. 1049 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Various Redevelopers for the sale of various properties in the City of Pittsburgh for $1.00 per lot as per the Property Management and Maintenance Program (PMMP SIDEYARD SALE).

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 1050 Resolution amending Res. No. 498, eff. June 22, 1984, entitled: "Providing for a Contract or Contracts or the use of existing Contracts for the refurbishing of Council Chambers on the Fifth Floor of the City-County Building; and providing for the payment of the cost thereof," by increasing the total allocation from $30,000.00 to $36,000.00 chargeable to and payable from Code Account LB 84-10, 4-13-95-0001-84, Renovations of Public Buildings, Department of Engineering and Construction, Index Code #352757.

Also,

No. 1051 Resolution amending Res. No. 516, eff. June 29, 1984, entitled: "Providing for an Agreement or Agreements with Bohlin Powell Larkin Cywinski for Professional Architectural Services in connection with the Phase I and Phase II remodeling of Council Offices; and providing for the payment thereof," by providing for a Supplemental Agreement or Agreements and by increasing the total allocation from $15,000.00 to $25,000.00 chargeable to and payable from Code Account LB 84-18, 4-13-92-2070-84, City Council Offices Rehabilitation, Index Code #351312.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Woods seconded the motion.

Which motion prevailed.

Also,

No. 1052 Resolution providing for the issuance of a warrant in favor of Tri-River Building Products Company, in the amount of $336.66 in payment for the purchase of Formica Counters used in connection with the Treasurer's Office Renovations, chargeable to and payable from Code Account LB 84-10, 4-13-95-0001-84, Index Code No. 352757, Renovations of Public Buildings.

Which was read and referred to the Committee on Finance.

Also,

No. 1053 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the Fall Street Tree Planting Program at various Community Development locations within the City of Pittsburgh, at a cost not to exceed $50,000.00 chargeable to and payable from Code Account EC 84-53, 4-13-74-0001-84-36-84-13, Street Tree Planting in Community Development Areas.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Woods presented

No. 1054 Resolution providing for the filing of an application or applications by the City of Pittsburgh with the Veteran's Administration for payment of funds in connection with the Emergency Veteran's Job Training Act of 1983; providing for the execution of Grant Contract if necessary and for the filing of various application, requisistions and other data; approving participation in the Emergency Veteran's Job Training Program; providing for required assurances; providing for execution of applications and for certification of authorized signatures.

Which was read and referred to the Committee on Finance.

Mr. Woods moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 1055 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended

Which was read and referred to the Committee on Finance.

Michelle Madoff:

There was supposed to be a resolution on the hiring of a fiscal advisor. We're just going to untable it on Wednesday? It was supposed to be reintroduced today. It was held for two weeks so it would be introduced today so that it would come up on Wednesday.

The Chair:

If my memory serves me correctly, that's on the Wednesday calendar being held.

Michelle Madoff:

I just want to be sure that we discuss it on Wednesday so we can vote final vote on Monday. That's all I wanted to be sure of.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 1056

Report of the Committee on Finance for July 10, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 975

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the Air and Power Company, 103 Shanahan Road, Butler, Pennsylvania 16001, in the amount of $805.00, for payment for services furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

Also,

Bill No. 976

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Mine Safety Appliance Company, 600 Penn Center Boulevard, Pittsburgh, Pennsylvania 15235, in the amount of $13,283.10, in payment of 18 MSA Pressure Demand Air Masks less 18 trade-ins, for the Department of Fire, without previous authority of law."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)
AYES 8	NOES none

And there being two-thirds of the votes of Council in the affirmative, the

bills passed finally.

Also,

Bill No. 977

A Resolution entitled, "Resolution transferring the sum of $10,000.00 from Code Account No. 1463, Miscellaneous Services and Repairs, Index 146308, to Code Account No. 1464, Index Code 146407, Supplies and Materials, within the Department of Fire."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 984

A Resolution entitled, "Resolution providing for the issuance of a $1,044.00 warrant in favor of Robert and Frances Hayes in settlement of claim for property damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 985

A Resolution entitled, "Resolution authorizing issuance of a $1,375.00 warrant in favor of Marie Knorr in settlement of claim for property damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 986

A Resolution entitled, "Resolution providing the issuance a warrant in favor of Anna Mae Pfeifer, c/o Clyde T. MacVay, Esquire, Evans, Ivory & Evans, P.C., 711 Frick Building, Pittsburgh, Pennsylvania 15219, in the amount of $11,000.00 in full settlement of a claim for personal injuries and providing for the payment thereof."

Which was read.

Also,

Bill No. 987

A Resolution entitled, "Resolution providing for the issuance of a $1,500.00 warrant in favor of Richard S. and Mary Elizabeth Donley in settlement of claim for property damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 988

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Education for a grant or grants in connection with the Education of the Handicapped Act; providing for the execution of grant contracts including all assurances contained therein; providing for the filing of requisitions and other data; providing authorization for the City of Pittsburgh to enter into Agreements authorized by the Education of the Handicapped Act; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; and creating a Trust Fund in a bank account."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

Bill No. 1057

Report of the Committee on Public Works for July 10, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 943

A Resolution entitled, "Resolution vacating Tunnell Street from a point on the easterly side of Tunnel Street at its intersection with the southeasterly line of Bigelow Square to its northeasterly intersection with Centre Avenue, thence along the northerly side of the new Sixth Avenue to its intersection with the west side of Tunnel Street, thence along Tunnel Street to its intersection with the easterly side of Bigelow Square, thence along the east line of Bigelow Square to the place of beginning in the 2nd Ward of the City of Pittsburgh, excepting and reserving easements for the sewer and utility lines located therein."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 972

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contracts for equipment, services and supplies for the relocation and permanent installation of the Government Communications Cable Television Production Facilities, 9th Floor, City-County Building."

Which was read.

Mr. Grabowski:

With respect to Bill 972, I would just like to remind my colleagues that this deals with cable television and the City's operation of the Cable Communications Bureau. I have a concern that I've expressed before relative to the legislation that's pending in Congress which I expect will be acted on shortly, that if passed would permit the City of Pittsburgh to spend money in the Cable Trust Fund for purposes other than cable TV. If this legislation passes, you could spend it for the hiring of policemen or the paving of streets or renovating elevators in the City County Building or any general fund purpose.

We have $2.6 million right now in the Cable Trust Fund and that's a lot of money but I believe in light of this federal legislation and the impending passage of it, the Cable Bureau is trying to spend their money rather swiftly. I think the money can be spent for better purposes if this legislation is passed and I intend to vote no on this, as I have on all the cable legislation that has come past this Council in the last few weeks.

The Chair:

Mr. Grabowski, I think it's even worse than that. Presently filed before the FCC is a petition for clarification and if Warner is successful in that, all of the monies expended for the non-access stations will pretty much wipe it out. It's the reason that I indicated here recently that I would not pass one way or the other, up or down, the transfer relative to our cable unless that petition for reclassification were withdrawn. I am told now that someone misunderstood what I intended and that they had some belief that if the transfer were approved then at that time they would withdraw their petition for reclassification.

I'm going to give it two weeks and if it isn't withdrawn by that time I will be prepared to make a motion at City Council to table the transfer until the petition for reclassification is withdrawn. They're not going to have both ways. They're either going to work it out straight in good faith coming to this table asking for a transfer based on their inability to carry out the original intent of the contract, or let them go the

way they want to go and let them carry out what they're supposed to do with the best ability they have. But on that particular issue, there is a strong belief there.

Mr. Grabowski:

There are two separate matters we're discussing here.

Mr. Givens:

If I could respond here, Mr. President. The Senate did pass the bill taking away that five percent of Warner Cable's gross to come into the City. However, Congress, the House, also passed another bill that won't be acted on until they go back into session in the Fall of the year which is going to be a very short session and they recess again very quickly because they're up for re-election. So, it looks like, in talking to some of my colleagues in the Congressional delegation from the Pittsburgh area, that it might or might not be considered even this year if it's considered. But even in that compromise proposal, they have where the City still retain that five percent monies to operate the government channels or anything else that they deem necessary.

There can be another overtone to this. There's a lot of corrections to be made. You made one stipulation, Mr. President, you were not here at the public hearing to voice your various concerns, there are many others that contractually must be completed before we can make the transfer contractually or break our own contract. That's like taking your finger out of the dam once there's a little hole in it. There's a floodgate then that comes upon us.

But mainly to get back to Steve's concern, like anything in Congress I think it's going to be a while. We must move forward with what we've set out for some three or four years ago and the master plan of what we are going to do within our City of Pittsburgh right here and within the government channel and that was to build a studio. If we're going to have a public access channel, I'm sure that the people out there who want to know if you can think of the whole transfer being some $93.4 million of Warner Cable. That's an industry out there which all the people pay a few dollars to each month on a monthly bill like they do their telephone bill. This Council operates on over $250 million a year, every year, and I would think that the people would want to know what's happening in our government. This particular studio up there will give the people the type of input that I think they would want, those who are wishing to know what's happening within their government. It's an expansion of the communication media and one that's well looked into and well thought of not just by this Council but by our advisory board and everyone that had conjunction and it was agreed upon, and one of the strong points that was agreed upon during a contractual relationship when all the bidders put their bid into the City of Pittsburgh. That varied if you can recall from anywhere from two percent to five percent and five percent is what Congress is looking at right now and I hope that would continue. If not, then we are to go backwards or the taxpayers of the City of Pittsburgh then will probably in time to come have to forward the bill of wanting to have the communications with their government, be it cable television.

Michelle Madoff:

Mr. President, we were to have a post agenda this coming Wednesday and I've been told the post agenda is being cancelled because both our representative and the County

representative could not be here. The subject matter was to discuss the safety issue of anybody coming into this building, not only Councilmembers that are here but people who come in to do business in the City County Building, the back elevators are not safe.

The Chair:

Michelle, I'm lost.

Michelle Madoff:

May I finish, please? I'm on the subject. Everybody's been off the subject; I'm on the subject.

The Chair:

Cable television?

Michelle Madoff:

I'm on this bill. The bill is to put an elevator in.

The Chair:

Bill 972?

Mr. Woods:

We passed that last week, Michelle.

Michelle Madoff:

We're talking about —

The Chair:

We are talking about Bill 972.

Mr. Woods:

We put the elevator in last Monday.

Michelle Madoff:

I apologize; I'm sorry. I thought we were on the same subject, the same issue. May I finish please?

The Chair:

On Bill 972?

Michelle Madoff:

Yes, 972, about the elevator and about how it ties into this — I want to ask you a question. Is any of this money going to be used for the elevator?

The Chair:

Michelle, hold on. I am talking about Bill 972 and that's all I'm going to entertain.

Michelle Madoff:

Is any of this money going to be used for the elevator? That's my question.

Mr. Woods:

No. We passed that $75,000 last week for the elevator. That's passed; it's going in.

Michelle Madoff:

This $296,000 is going to be used just for the commitment we made originally, that we voted on, to set up the cable operation which needs an elevator to get to it?

The Chair:

Yes.

Michelle Madoff:

Alright. I just want to get this

clarified. And you're saying, Mr. Stone, that from your observation, it appears that if the Congress and the Senate vote, we won't have five percent, we'll have the original, three.

The Chair:

No, my point was different. Mine was that there's a petition for reclassification which has nothing to do with Congress.

Michelle Madoff:

What I'm asking is, will there be five percent or will it not be five percent if the new bill is passed? Can we spend money we don't have, is what I'm asking, that we might have to dig into our pockets to pay back?

The Chair:

There will be five percent but the question is whether or not they can charge back to us all of the monies which were spent on public access which could wipe out the whole fund.

Michelle Madoff:

That's my point. How can we go ahead and spend money that we may not have that would be a burden on the public until we know whether that money is going to be there? I think the position that Mr. Grabowski is saying, and I hope he would clarify it for me because I need some clarification, if we go ahead and spend this money, Mr. Grabowski, as intented for the Cable Communication and if a ruling comes down saying that money cannot be used or has to be paid back, it will have to come out of the taxpayers' hide.

Mr. Grabowski:

If I can clarify this issue, right now the FCC requires that the money the City derives from the Cable Franchise Fee only be spent for cable purposes. One of the provisions in this legislation that is pending is that it will sort of deregulate that. The City will not be restricted to spending that money only for cable purposes. The City will then be able to spend it for general fund purposes.

Michelle Madoff:

Then this is what you referred to the other day when you said we might find it more important to fund jobs or fund some other program than you would want say to fund cable and it would be at the discretion of Council at that point.

Mr. Grabowski:

Absolutely.

Michelle Madoff:

Well, the problem that we have with that is that we have a commitment, a moral commitment and I think a legal commitment, that when we signed the RFP in this Council that there would be a studio that people would have public access, particularly to the government station so they'd know what we do here in Council. I think that would take a moral obligation almost before everything else the public's right to know. I think I would have to vote with this bill.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Woods
Michelle Madoff	Mr. Stone
Mr. Wagner	(Pres't)

AYES 5 NOES 3

(MR. GRABOWSKI, MR. O'MALLEY AND MR. ROBINSON VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Robinson presented

Bill No. 1058

Report of the Committee on Planning, Housing and Development for July 10, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 980

A Resolution entitled, "Resolution providing for a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh in connection with the Administration of the 1000 California Avenue Urban Development Action Grant, and providing for the payment of the cost thereof." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Grabowski presented

Bill No. 1059

Report of the Committee on General Services for July 10, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 978

A Resolution entitled, "Resolution repealing Resolution No. 94, approved February 20, 1984, effective March 2, 1984, entitled: 'Providing for the letting of a Contract or Contracts for the furnishing and delivery of MSA Pressure Demand Air Masks (SCBA) with composite air bottles for the Department of Fire, Code Account No. 1468, Index No. 146803, Equipment, Department of Fire.'"

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

I'd just like to make one comment if I may. Wednesday, right after our Finance Meeting, I'd like to meet with members of Council in the Conference Room. Because of the condition of our office I thought I'd mention it here. Okay.

Michelle Madoff:

I would like to make a comment on three issues. I have a memo, telephone call, from Aggie Brose with reference to $22,500, monies needed at a standstill, for Unspecified Local Options for the Bloomfield/Garfield area. Does anybody know why it's at a standstill?

The Chair:

We might bring that subject up on Wednesday.

Michelle Madoff:

I would assume that it could be handled without having to bring it to the table if somebody will check it. I'm the wrong one to ask. There's some disparaging remarks made, there are rumors somebody's holding it up. I don't want to talk about that. I believe this is a bill that Council has already supported. Whose Committee is it? Is it not the Finance Committee? Who's handling Unspecified Local Options? Who sponsors the bill?

The Chair:

City Council.

Michelle Madoff:

The bill has already been sponsored. The bill has been approved and they haven't gotten their money; the money is being held up.

Mr. O'Malley:

It hasn't been approved; it hasn't been introduced.

Michelle Madoff:

Who is not introducing it? Who is to introduce it?

Mr. O'Malley:

I imagine we're going to discuss it on Wednesday, Michelle. All of us.

Mr. Givens:

They came before Council during the budget hearings, did they not, and presented their case?

Michelle Madoff:

Yes and we voted for it. I think

they should be exempt from that discussion on Local Options. That's the point that I'm making.

The Chair:

We're going to have to get some understanding of what's involved in this matter and that's why I'm calling a meeting on Wednesday.

Michelle Madoff:

Mr. Stone, you would agree that this group, in this instance, this group is grandfathered. In the future, Unspecified Local Options can be discussed but I think this money should be approved.

The Chair:

I might be so disposed to do that but —

Michelle Madoff:

Then why don't we just do that and not make a federal case out of it?

The Chair:

Because we don't have any legislation in front of us to approve it.

Michelle Madoff:

Would you introduce legislation for Monday for this marking it —

Mr. O'Malley:

It's not Mr. Stone's committee; it's Mr. Robinson's committee.

Michelle Madoff:

Mr. Robinson, would talk about introducing it as a grandfathered clause, grandfathered as opposed to other Unspecified Local Options? Do you have any feeling about it?

Mr. Woods:

We're going to discuss that on Wednesday, Michelle.

Michelle Madoff:

Well, I think this one is one that should not fall in the general —

The Chair:

I think a discussion would be more in order if you'll just wait.

Michelle Madoff:

Alright.

My second item. It's very interesting to me, has anyone noticed that Michelle Madoff hasn't had any bills to introduce for some time? When I got here I was punished; after all, you know, I got here and I was head of the Water Committee, the lowest person starts in Water. In my case it became hot water. Now the Water Department is sort of a non-existent mirage. We have a Water Authority and I believe the person representing bills coming out of the Water Authority generally is Mr. Wagner because they come under Engineering and Construction. Is that correct, Mr. Wagner?

Mr. Wagner:

That depends on whether or not there's any engineering and construction going on in the Water Department.

Michelle Madoff:

But there have been and there have been generally bills coming out of Water for waterline repairs and they

come through you. That's a fact.

Mr. Wagner:

I would, to a degree, disagree with you because I think since the beginning of this year there's been more legislation coming out of your Committee pertaining to that than mine.

Michelle Madoff:

No, I'm afraid I have to correct that. Linda, am I correct? There have been practically no bills that I've introduced. Am I correct?

Mrs. Johnson:

That's about right.

Michelle Madoff:

I think I'm very attractive for a woman of my age but I don't really appreciate being window-dressing. I will have to consult with counsel to see why I have not been appointed to a board or commission in the six years I've been here. I realize the Mayor thinks I'm going to run against him and he's terrified; he's asked me not to run on several occasions, both four years ago and again. I also am now in a committee that is virtually not being represented in any way, shape or form, and I think my constituents, people who voted for me, would be very distressed and I wanted that on the air and I want them to know that I'm distresses. And I think that the President of Council might want to look into that.

I have one other item. Mr. Ben Woods, Finance Chairman, and myself went to Baltimore, Maryland, separately, I drove in, he flew, and we met with a woman by the name of Ronnie Jane Goldsmith. I think Mr. Woods will tell you he was most impressed with her. I was very impressed with her but I have a deep concern that, you know, when nine of us can't agree on anything, I have a great concern that there will be a dichotomy between what I came away with with Ms. Goldsmith who is the fiscal analyst for the City of Baltimore and something new that I learned is that she does not work for the Council nor does she work for the Administration. She is part of their Charter and she can't be fired by either body. So she can tell it like it really is and really represent the public.

Now, we would have to have some adaptation of what she does but I think if you leave it to Michelle Madoff or to Mr. Ben Woods to interpret what Ms. Goldsmith told us, I think we're going to be at a loss. While the bill is being untabled on Wednesday, she has told us, she told me, that she would be willing to come to Pittsburgh and address all of Council because there seems to be a great deal of sentiment. There was a 4-5 vote before the new members of Council got here to have a fiscal analyst providing we had some ground rules and some information.

I noticed on my desk today that there is a job description of the people in the Budget Office. I haven't looked at it but I'd be willing to put $1,000 on the table right now that there isn't a member of our Budget Office, who are very capable at the work they do and do a tremendous job, that are fiscal analysts or advisors. And if you ask, they'll say that is not what they're trained in.

I would like to make a floor motion that we invite Ms. Goldsmith to address all nine of us, not just Mr. Woods and myself, and we take the best of what she has to offer so that we have separation of powers between the Administration and Council. We don't vote for a renegotiation of a contract

with the Stadium without any input; we don't vote for a rate increase for Warner and when the advisory board to Warner says, "We need a fiscal advisor", and I had to laugh at that, they didn't have the information. This Council needs information. Every body in Harrisburg or in Washington, whether it's the Senate, the House, the State Representatives, have large staffs who are advisors, who do the research advising. They also go out for fiscal advisors when it becomes necessary on things like water authorities and that is not the fiscal analyst.

So, I'd like to make it as a motion that we have her come and address all nine of us rather than nine of us going to see her. Mr. Woods and I have seen their operation and have some feeling of that. I would like a second on my motion please. The motion is to invite Ms. Goldsmith, pay her expenses, to come and address all of us.

Mr. O'Malley seconded the motion.

Mr. Givens:

Who is going to pay for it?

Michelle Madoff:

We will. It will be the best bargain we ever got. She saved the City her salary about 40 times over by one move that she made.

Mr. Robinson:

Mr. President and members of Council, it's on the Record that I'm in support of Council securing a fiscal advisor. I think it would be in our best interest and the best interest of the City for us to move in that direction. However, I think it would be premature for us to invite someone here who perhaps might be considered for that position without clearly identifying the skills that we think we need and giving to many people across this country and opportunity to present themselves. I think that the skills that Mrs. Madoff has identified that Ms. Goldsmith has certainly do reflect the kind of expertise that we could utilize here but I think given the fact that we have tossed this issue around for some time and now we are seriously considering it, it would only be appropriate if we're going to invite one person that we find a process that would allow others who are equally as qualified and equally as knowledgeable to present themselves to this Council. I think that it would be essential for us to have someone who has some experience in bonds, notes, and other negotiable instruments as well as having done some significant financial analysis at the municipal level to work with us and to work with the Administration.

So, while I do not have any specific objection to Ms. Goldsmith herself, or even talking with her, I do have some difficulty with not allowing others who are equally as qualified and experienced presenting themselves to this Council.

Michelle Madoff:

There's a misunderstanding; may I correct that please?

The Chair:

Wait, Mr. Woods has the floor.

Mr. Woods:

I believe before we have anybody come to speak before Council that we should move on the legislation that will be coming up on Wednesday before we talk about interviewing or any kind of job descriptions. We have to act on that first before we can entertain any

thoughts of inviting anybody here to give us their qualifications or fill a position.

Michelle Madoff:

Ms. Goldsmith will supply us with a letter saying that she will not be applying for the job with the City. That would take care of the concern. She has no interest in applying for a job at any point, at any time, to work for the City in any capacity, fiscal, in any way, shape or form.

The reason we want to have her, the reason I am recommending strongly that we have her, is that this bill will go down to defeat again if the friends of the Mayor get together and do not want to have an informed Council, to have business as usual. We'll still get our 4-5 vote and nothing will change. I sincerely believe and honestly believe that if you hear what this woman has to say about what she does, what she does for the City of Baltimore, which is very analogous to the operation in the City and the Mayor's system that we have here, we will then be able to determine what the RFP and requirements would be for somebody that we would be looking for. But we would have some idea of what benefits we could achieve from having a fiscal person. If we vote for it first of all it will go down the tubes and we'll never have a chance to form an opinion or get an idea of what benefit it could be to the City. That's the gameplan, I'm afraid, of some members of this Council.

So, I respectfully ask Mr. Robinson to change his feelings because she will sign a letter saying she's not applying. She'll only talk about how similar the cities are, what she does, and then we would decide do we want to do the same thing, do we want to do something differently, and I agree with you, Mr. Robinson, there may be many avenues. We may not want to do what she does; we may take one tenth of it, one fifth of it, we may like 80 percent of it, and then we should have our own request or proposal drawn up, our own requirements, and send it out to all people who would be interested in the job. But I bet if we go with it now the chances of that bill passing are very slim. Mr. Wagner has told me repeatedly, he has said, "Well, I haven't seen the job descriptions of the people here." What is it that we really need? Others have said, I think Mr. Grabowski, has said, "What do we really need? What is it that you really want?" I'm asking that we have someone who has done it, has saved the City of Baltimore millions of dollars by some very shrewd recommendations - she has been so cost effective - to just tell us her story. And then we promulgate what we might want to look for. I can't believe that this Council — I just don't believe it, that you would not want to at least have some input from someone who has done this kind of service for a City Council comparable to ours.

Mr. Woods:

Mr. President, we've been talking about this bill —

Michelle Madoff:

I have for six years.

Mr. Woods:

In this legislative year I think it's been there about three months. We've been going to every Wednesday meeting and every Monday meeting and Michelle Madoff kept asking me, "Ben, when are you going? Ben, when are you going?" She asked my colleagues, "Will you make sure Ben Woods goes to Baltimore to visit this woman?" I've done that and now, Michelle and I discussed this

sometime last week and I said that I agreed that that individual was impressive to me but I don't believe, in my own opinion, that we need that in Pittsburgh.

Michelle Madoff:

That's what I'm afraid of.

Mr. Woods:

Michelle, please. I let you finish so will you let me finish?

Now she wanted to push this bill so it's on the agenda this Wednesday, it wasn't supposed to come up until the following Wednesday, she is panicking and now she doesn't want to have it voted on Wednesday, she wants to bring this woman in to discuss it in front of all of Council. If Council wasn't interested to go to Baltimore, I don't know how much interest you're going to have to discuss with this woman. And if I do vote against hiring an analyst, I am a friend of the Mayor but I have my own conscience and I vote my own way and any member here who votes against that is not by the Mayor, he does not influence them. I resent that every time we disagree with you on this Council you say, "It's because you're a friend of the Mayor."

Michelle Madoff:

It's very interesting to me that before we come to Council on crucial votes I know who the five votes are. We all know who they are.

Mr. Wagner:

Mr. President, I think the logical procedure here is what we discussed in pieces all along which was that this Council voted to determine or to request job descriptions of all individuals in the Capital and Operating Budget area. Now that we have received job descriptions, I think the logical thing to do is to compare those job descriptions with what a fiscal analyst does and determine whether or not the qualities of a fiscal analyst are part of our existing staff. That should give us some valuable information to determine whether or not we need what you're suggesting which is a fiscal analyst.

Mr. Robinson:

I'd just like to comment on the issue that Mrs. Madoff raised about the importance of Ms. Goldsmith coming here. I think perhaps the implication might be that if we don't listen to Ms. Goldsmith, we are not going to be knowledgeable enough to vote on the Council bill relative to securing the services of a fiscal advisor. I have said to Mrs. Madoff on numerous occasions that I believe that we do need a fiscal advisor, I've said that to members of Council, and I believe that I certainly will vote for a bill that will require us to have a fiscal advisor.

I think that while many of us perhaps have not gone to Baltimore and perhaps we didn't have the opportunity to speak to Ms. Goldsmith, certainly I think some of us at least have had an opportunity to speak to people in other cities who do the kind of work that she does and who are experts in the area of municipal finance. I had the good fortune to be in Philadelphia last week and I did talk to several individuals who work for the Controller and the Mayor's Office who do the kind of work that Mrs. Madoff is referring to. I simply am concerned that we attempt to bring in a reasonable number of people, what Council desires, to explore with us the feasibility of hiring someone with some expertise in municipal finance to work specifically with Council and specifically

assist us in some of those very delicate negotiations that we often have around bond issues, etc.

So, I'm in full agreement with Mrs. Madoff in terms of hiring somebody. My only concern at this point is that we are zeroing in on one individual. I think it would be less than fair to suggest that this issue has not created some controversy. It has. Members of this Council are fairly divided. But if we are united in our purpose to serve the people of the City of Pittsburgh and to be as expertly qualified as we can, then this issue deserves some objectivity and I think by bringing in two or three individuals who have the expertise, who are working in municipal government or who have expertise in municipal finance, that we can address the issue of hiring someone, we can address the issue of what we might need, and we can also hear from those persons who share our concern that the people who work in the area of municipal finance be as expert as possible.

Michelle Madoff:

Mr. Robinson, I wholeheartedly agree with everything you've said and I think what you've done is expand my suggestion even further. I'm delighted that you've spoken with someone in Philadelphia; I would suggest that you get that person's name, we've got Ronnie Goldsmith who I did not know before I went down to meet her for the first time, I've spoken to her on the telephone, and we can perhaps get someone from the League of Cities to recommend a third party to us. All parties should agree, perhaps since we're having three we don't need it, but all parties should agree they would not be applying for the job. But before we come up with criteria we should listen to other people and what they've done and how they've benefitted cities so we have some idea of how we should structure what our needs are.

What I'm afraid of is that Mr. Ben Woods is absolutely on target. He said, "She untabled the bill for Wednesday and then she got panicked." You know why I got panicked? For the same reason I didn't introduce my bill for Jim Roddy today. You thought there was another bill; there was another bill, another motion today, that we hire Mr. Roddy who has a background in cable communications to advise this Council on some points that we may not be familiar with when we go to vote on cable. I polled this Council and I did not have the votes so I just didn't bother introducing the resolution.

Now, it is going to be such a close call on getting a fiscal advisor —

The Chair:

Before you go any further, I did not participate in any poll.

Mr. Woods:

Neither did I.

Michelle Madoff:

Mr. Stone, may I tell sir, I talked to people, I don't want to mention names, three people sitting at this table, four, and they said, "No, I'm not interested, I can get it elsewhere, I don't need it." And the point that I'm making is that frequently I don't even hear about things until six months later because five members of Council met in the backroom and I wasn't invited. I merely went to the table, Mr. Roddy was sitting here, and said, "How do you feel about it?" and a number of people of Council said, "I don't need it, I don't think he's experienced, I think we can do it ourselves, I need to know more about his

qualifications." I knew I didn't have the vote; I didn't introduce it.

This is the life blood of this City. This City's budget since I've been here, six years now, has gone from $1.2 million to $2.5 million and we do it without having the best input we possibly can. Mr. Woods has already stated that while he thought she was wonderful he might vote against it. He's expressed to me his inclination not to be for this bill. That's his privilege but I don't think that neither Michelle Madoff nor Ben Woods should influence the other people and because they didn't all get up en masse and go to Baltimore, I think that it is important if she's willing to come that we should at least listen to her, get the person from Philadelphia and listen to them, and get somebody from the League of Cities and listen to them, maybe somebody from the State that you might recommend that you know, and then see what our guidelines are, if we really intend to do something. Otherwise what we're saying is, we want to vote the way we want to vote the way we want to vote that suits us personally because we really are not interested in the public's welfare.

The Chair:

I think we've spoken long enough on this matter. Let's call the vote.

Michelle Madoff:

The vote is to invite — I'm amending my motion to invite Ms. Goldsmith and others to address this Council —

The Chair:

No, the Chair entertain a motion —

Michelle Madoff:

Mr. Robinson amended my motion.

The Chair:

Just a minute. You made a motion to bring her here. We got a second to that.

Michelle Madoff:

I'm withdrawing that motion. I'm introducing another motion.

Mr. O'Malley:

I withdraw my second.

Michelle Madoff:

I'm changing my motion to have Ms. Goldsmith and the person that Mr. Robinson knows from Philadelphia and perhaps one or two other people recommended by this Council address us before we come up with the guidelines for what we need to see what other cities are doing.

Mr. O'Malley seconded the motion.

Mr. Woods:

On the motion, I would like to amend that further to read that those invited, the cities must be comparable to the City of Pittsburgh such as the Home Rule Charter, have a Controller — the City of Baltimore does not have a Controller, Ms. Goldsmith does the work of a Controller, they have a Comptroller, she issues the quarterly reports — different things like that to see what they do for their city, is the city comparitive to the City of Pittsburgh, the structure of Council, strong Mayoral government. These types of things.

Michelle Madoff:

Baltimore has a strong Mayor system, weak Council system. Very similar to ours. Yes, they have a different Controller. Every city is different; there are no two cities that are peas in a pod. But there are ideas that we could get from the Philadelphia, there are ideas we could get from Ms. Goldsmith, and there are ideas we can get from other people that other members of this Council would recommend and I'm willing to forego having that person for this year because I want to be sure that if I leave one thing to this Council, a legacy for this Council, that I leave them with people who have some input to whoever may be the fiscal advisor. I've had probably as much training as anybody on this Council; I've had one year of accounting, and I'm not qualified to do it. How many other members of this Council have had a year of accounting?

The point is that I believe you do not want this; I think you want business as usual and that's your privilege. I don't think that what I think or what you think should weigh on the rest of Council. My motion is to have more than one person, two or three people come, and waive my bill on Wednesday until the people have come to this Council and addressed us. That is my motion.

Mr. Wagner:

Mr. President, on that motion. Who is going to pay for all these people?

Michelle Madoff:

We are. City Council. The best bargain we ever had.

Mr. Wagner:

Isn't there some advice, someone that's an authority on this type of thing? In the City of Pittsburgh we have some very reknown accounting firms and people that are very intelligent on fiscal matters and why do we always have to go to Baltimore or Montreal or wherever?

Michelle Madoff:

I'm going to answer that. I contacted a consultant in this City who dealt in bond issues. The person would come to work for us on the basis that they would work for all Council, not just for Michelle Madoff, even though I approached them, would represent all Council, would be able to be honest, give his opinion whether it agreed with mine or not, to say what he had to say and was just going to do it as a gratis thing. The person received a definite two, possibly three, phone calls from members of this Council saying, "Don't you dare come." Get the picture?

Mr. Wagner:

Not from this Councilmember.

Michelle Madoff:

You were not there. You were not a member of Council at the time. They were virtually threatened with no business. We all know who those people are; we won't mention them by name.

Mr. Givens:

Call the vote.

Mr. Grabowski:

Mr. President, could I be sure of what we're voting on first.

The Chair:

I think you've said the most important thing that's been said here all

day. I listened to a motion here today and I don't think anybody knows what we're doing.

Mr. Woods:

Mr. President, if I may. I withdraw my amendment.

Michelle Madoff:

You know, it's funny. If it was coming from a man everybody would understand it. It's really funny. The motion will be, simply stated, that we invite Ms. Goldsmith, the person that Mr. Robinson knows from Philadelphia, and anyone you or any other member of this Council would care to come before us to inform us of what they do as a fiscal analyst or advisor for their City comparable in the sense that they have a strong Mayor system, weak Council system, what they could do for Council, and then we promulgate our rules. That is the motion and it was seconded by Mr. O'Malley.

The Chair:

Call the question.

Mr. Givens:

I vote no and I would just like to explain that since I haven't expressed my opinion on this. Any time I went to our own Financial Department sitting back here and asked for any information, they have supplied that information in a most timely fashion. From that I have digested it and I'd hope that the people of the City of Pittsburgh elected me to the position of Council to digest that $250 million some that is thrown at us every year in a very short period of time. But working in that field of finance for the last 20 some years, I don't need that expertise but I will stand on my vote in this Council if how we spent the taxpayers' money increase that taxation and when we go out for notes and bonds within this City, the time and dates that we go out when the bond ratings are the highest almost during that particular year. That is the thing that I object to and object to very strongly. I don't need any financial analyzer to tell me what is simple arithmetic. I've been chastized by both you Mr. Stone the President, by our Finance, by the finest people we have in the City of Pittsburgh telling us about finance. I'll stand on my vote and the taxpayers or the people and the constituents out there that I represent are the ones that elect me to this Council to represent them. It's in the Municipal Record. Anytime anybody wants to know what happens in this Council, fall back on the vote and see who votes and why they vote. That's what we're here for, to take care of them. I don't need a financial consultant anyplace to tell me how to vote. I hope that's why the people have elected me because I have some of those skills.

Mr. Grabowski:

Mr. President, I listened very carefully to Michelle as she restated her motion about two minutes ago and that motion made no mention of financing these people who we are going to invite. Based on that, I will support it so I vote aye.

Mr. O'Malley:

I don't feel any information or enlightenment would hurt this Council at all. I vote aye.

Mr. Robinson:

I'm going to vote aye and I'd just like to say that anyone that I might invite to speak before this Council who is an expert in this area will come at their

own expense.

Mr. Wagner:

Mr. Robinson just half answered my question. If I was assured that someone or the parties were coming to this City at no expense to the City I could vote aye on this piece of legislation. I don't know if I'm adding a stipulation to it or not. If we are going to pay for those to come to this City, whoever they are and I don't know who they are, I'm not ready to support that legislation. If someone is going to come here free of charge to explain to us a procedure that may be better than our procedure, I will vote aye. So, I'm caught in the middle here and unless I can have some reassurances that any and all parties will be here free of charge, I cannot support the legislation.

Michelle Madoff:

If it means the bill will go down in defeat, I'll pay for it out of my own pocket. Or I also have the option to pay for it —

The Chair:

Michelle, we are now in vote; we are not in discussion. You are out of order.

Michelle Madoff:

He is not voting because he needs information.

Mr. Wagner:

I abstain.

The Chair:

I vote no for the reason that I have the utmost faith in our budget staff. I've had the opportunity to work with them as Finance Chairman and no one has ever proven that the decisions that they made were not in the best interest of this City and I object strongly to the implication that always comes about which seems to feel that our budget staff is something substandard. I don't believe they are. In fact, if anyone were to check some of the records of the Treasurers in the past, they will find that there are many notations commending the budget staff of City Council that we've had here in the last five or six years as probably being some of the best. For that reason, the answer is no.

Michelle Madoff:

I think that needs a response on the Record. It is a fact that —

The Chair:

Michelle, you are out of order.

Michelle Madoff:

I may make a statement for the Record.

The Chair:

You are out of order. Call the vote.

Michelle Madoff:

You make statements for the Record all the time. The next time you make a statement for the Record, you sir, are out of order.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the bills motion finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. O'Malley
Michelle Madoff	Mr. Robinson

AYES 4 NOES 3

VOTING NO:

Mr. Givens	Mr. Stone
Mr. Woods	(Pres't)

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Mr. Givens:

Mr. President, on a different subject. The people from Oakland have been waiting for their Oakland parking permits for resident parking. The City has gone out there, the Planning Department has agreed to zone so many streets out there; there is a little problem with the merchants out there and what their likes and dislikes might be but this thing must be brought to a head. One has to realize that living in the Oakland area, as well as other areas in the City, they are asking for this. We've hired a full-time person in City Planning to do nothing but to work with these neighborhoods. So, because nothing is happening that I know of in this particular Oakland residential parking zone, I would ask then on a post agenda this Wednesday that someone from the Planning Department knowledgeable in that area be here and also someone from the Department of Public Works, the enforcing agencing to put up the signs. But I don't think they can move until Planning can move. That's number one on the post agenda.

Number two on post agenda is again a festering problem out in Highland Park with Louise Brown and the Reservoir Drive out there where people do their walking, bicycling, running. She changed the flow of traffic on Reservoir Drive, as they call it, and another street going down into the lower part. That has been festering and moving back and forth. I want Louise Brown and someone from the Mayor's Office here to resolve both that particular problem up at the Highland Park Reservoir and I'd also want someone here from the Mayor's Office regarding the Oakland residential parking.

So I'm getting input to all the Directors and to the Mayor's Office that we bring resolution to these two problems, or at least one, that have been festering for over a year. Either say what they're going to do or not say what they're going to do. There have been petitions before this Council and we have inaction or no action on the part of the citizens of the City of Pittsburgh and I am getting many phone calls because I walk up there on occasions and the people are hitting me pretty heavy.

The Chair:

I have one request. Could you postpone one of them for two weeks because we have a meeting coming up as I announced earlier.

Mr. Givens:

These should be very rapid. I want to know what progress we're making and as far as I'm concerned it won't last more than five minutes, both of them, because if they don't move forward on this very quickly then I'm going to take appropriate measures in this Council. I'll stop voting for any bill that comes out of Parks and Recreation or anything that comes out of primarily

Planning and Parks and Recreation. That is my only recourse as a Councilman and I will do that and encourage other Councilmembers to do likewise.

The Chair:

Yes, but if the issue is a little bit longer I was just trying so that we don't end up having an elongated thing. Some people have some meetings at 1:00 and that's the reason we were trying to hold it then.

Mr. Grabowski:

Mr. President, with regard to the Oakland matter, if my memory serves correctly, last Monday it was introduced and we'll be considering the bill this Wednesday before the Committee session and I understand it's proper to set a hearing, a public hearing on the matter. So, perhaps the answer is for you to set the hearing as expeditiously as possible and let's get this ball rolling.

Mr. Givens:

Steve, if I can recall, the Oakland group along with others have petitioned the City a long time ago. Is this a new petition?

Mr. Grabowski:

No, actually the bill was introduced to implement what you're talking about.

Mr. Givens:

Maybe that might solve my problem. Then all I have to ask the people then at that particular time is how quickly is it going to be implemented then. That will kill the one, okay. But the Highland Park one is still on.

Mr. Woods moved to excuse Mrs. Masloff for absence from the meeting.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Woods moved to approve the Minutes of Monday, June 25, 1984 and Monday, July 2, 1984.

Mr. Wagner seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Woods**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, July 23, 1984 No. 30

Municipal Record

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, July 23, 1984

PRESENT:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Givens presented

No. 1063 Resolution providing for an Agreement or Agreements with Grant Liberty Development Group Associates, a Pennsylvania general partnership, for the grant of easements for the construction, maintenance and use of improvements to be constructed above, on and beneath certain portions of the public right-of-way of Tenth Street, Penn Avenue, Eleventh Street, and Liberty Avenue, in connection with the construction of the Liberty Center.

Also,

No. 1064 Resolution granting unto Timothy Carrera, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, an off street parking stall on a portion of the unimproved roadway of Georgia Avenue in the 30th Ward of the City of Pittsburgh.

Also,

No. 1065 Resolution granting unto Judi Kirsch and James Kirsch, 1858 Dagmar Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Swimming Pool on a portion of unimproved Crosby Avenue in the 19th Ward of the City of Pittsburgh.

Also,

No. 1066 Resolution granting unto Thomas and Jill Niebel, 702 Moonstone Drive, Allison Park, PA 15101, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Building Encroachment on a portion of the right-of-way of Laurel Alley in the 24th Ward of the City of

Pittsburgh.

Also,

No. 1067 Resolution refixing the width and position of the sidewalks and roadway of portions of First Avenue between Market Street and Wood Street.

Also,

No. 1068 Resolution vacating Exchange Way from 8th Avenue to a point 60.06 West, in the 2nd Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 1070 Resolution providing for the issuance of a warrant in favor of American Contractors Equipment Corporation in the amount of $1,096.47 for emergency purchase of street sweeper parts.

Also,

No. 1071 Resolution providing for the issuance of a warrant in favor of Doerr Brothers, Inc., in the amount of $3,386.00 for emergency repairs to two City vehicles, chargeable to and payable from Code Account 1150, Outside Repairs, Index Code 115006, Department of General Services.

Which were read and referred to the Committee on Finance.

Also,

No. 1072 Communication from George W. Jacoby, Director, Department of General Services, requesting permission for James McNamara to attend a seminar on Public Purchasing at the Annual Conference of the National Institute of Government Purchasing, Baltimore, MD, from August 21-29, 1984, at a cost not to exceed $1,500.00 payable from Code Account 1128, Index Code 112805, Misc. Services, Department of General Services. Permission is requested for use of a City vehicle.

Which was read and referred to the Committee on General Services.

Michelle Madoff presented

No. 1073 Communication from Daryl H. Smith, Director, Department of Water, requesting permission for Raymond Wisloski, Operations Supervisor, to attend the annual meeting of the Water Works Operators Association of Pennsylvania on August 6, 7 and 8 at Penn State Unviersity, University Park, PA, at a cost not to exceed $250.00 payable from Code Account 1930, Miscellaneous Services, Department of Water.

Which was read and referred to the Committee on Water.

Mrs. Masloff presented

No. 1074 Resolution providing for an Agreement or Agreements with an independent contractor to provide professional services in connection with the Department of Parks and Recreation's programming, specifically the Great Race, at a cost not to exceed $15,000.00 chargeable to and payable from Code Account Special Parks Programs Trust Fund (SPPTF - 254359), Department of Parks and Recreation.

Also,

No. 1075 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting permission for Maria Petrakis, Recreation Leader II, to travel, assist &

coordinate the Pittsburgh delegation to the Pennsylvania Senior Games at Shippensburg University, Shippensburg, PA, August 8-11, 1984. There will be no cost to the City of Pittsburgh.

Which were read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 1076 Resolution approving the sale of Parcel 228A (1422 Faulsey Way) in the 21st Ward of the City of Pittsburgh by and between the Urban Redevelopment Authority of Pgh., and Constance A. Portis for the sum of $150.00 — Redevelopment Area No. 27.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 1077 Resolution providing for the issuance of a warrant in favor of Amaral and Neumeyer, Inc., in the amount of $16,500.00 in payment of an Emergency Contract for the removal of asbestos material existing within the following facilities: Ormsby Recreation Center, Ammon Recreation Center, Moore Recreation Center, Phipps Administration Building and No. 20 Fire Station, chargeable to and payable from Code Account LB 84-10, 4-13-95-0001-84, Renovation of Public Buildings, Index Code #352757.

Also,

No. 1078 Resolution providing for the issuance of a warrant in favor of Ferdinand Palombo Landscaping Company, in the amount of $3,956.34, in payment for Extra Work, being in addition to the original contract price of $210,090.00 on Controller's Contracts No. 26502, furnished for the benefit of the City in connection with the renovation of the Northview Heights Playground, payable from the 1975 Community Development Funds, Code Account 4-13-72-1496-75-120-75-13, Parks and Playgrounds, Index Code #433433.

Also,

No. 1079 Resolution providing for the issuance of a warrant in favor of Moscatiello Construction Company, in the amount of $14,952.38, in payment for Extra Work, being in addition to the original contract price of $3,460,895.60 on Controller's Contract No. 26658 & 26658-F, furnished for the benefit of the City in connection with the reconstruction of Warrington Avenue - Phase I, payable from Code Account CDPW 1983, 4-13-01-0130-83-250-83-13, Index Code #432534, Warrington Avenue.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1080 Resolution providing for an Agreement or Agreements for Architectural/Engineering Services and a Contract or Contracts, including the use of existing Contracts for construction of the No. 29 Fire Station on Noblestown Road (formerly No. 10), payable from Code Account LB 84-17, 4-13-80-1954-84, Index Code #350264, Engine #29 (West End) Design, Land Acquisition and Construction.

Also,

No. 1081 Resolution amending Res. No. 278, eff. 4/17/84, entitled: "Providing for an Agreement or Agreements with Salvucci and Associates, Inc. (Joseph Salvucci, President) for Professional Engineering Services in connection with the In-Depth

Inspection of the Ohio River Boulevard Bridge No. 1 over Verner Avenue and the Ohio River Boulevard Bridge No. 2 over Eckert Street; and providing for the payment of the costs thereof," by providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation.

Also,

No. 1082 Resolution repealing Res. No. 1094, appr. 10/29/81, eff. 11/12/81, entitled: "Providing for a Contract or Contracts in connection with the construction of a new #10 Engine Company, West End and providing for the payment of the costs thereof.

Also,

No. 1083 Resolution amending Res. No. 961, eff. Nov. 7, 1983, entitled: "Providing for a Contract or Contracts, or the use of existing Contracts, in connection with the Rehabilitation of various Fire Stations, including the removal of asbestos; and providing for the payment of the cost thereof", by increasing the total project allocation by $128,000.00.

Also,

No. 1084 Resolution amending Res. No. 244, appr. 4/8/83, eff. 4/20/83, entitled, "Providing for an Agreement or Agreements for Architectual/Engineering Services and a Contract or Contracts, including the use of existing Contracts, for construction in connection with alterations at Special Populations Program Centers to accomodate the physically handicapped, and providing for the payment of the cost thereof," by increasing the total project allocation by $9;000.00.

Also,

No. 1085 Resolution further amending Res. No. 1210, eff. 1/1/84, as amended by Res. No. 509, eff. 6/29/84, entitled: "Resolution adopting and approving the 1984 Capital Budget and the 1984 Community Development Block Grant Program, and approving the 1984 through 1988 Capital Improvement Program," by creating a new line item and adjusting the Summary Totals.

Also,

No. 1086 Resolution taking, appropriating and condemning, by the City of Pittsburgh for public road improvement purposes, certain property of Sidney Singer (22-M-108), and Combustion Services Equipment (22-M-97), situated along Pennsylvania Avenue between the Pennsylvania Avenue Bridge and Brighton Place, in the 25th Ward of the City of Pittsburgh, at a cost not to exceed $2,000.00 chargeable to and payable from PW 83-38, 4-01-30-0300-83.

Which were severally read and referred to the Committee on Engineering and Construction.

Also,

No. 1087 Resolution authorizing and directing the Director of the Department of Public Works to change the name of a portion of P.J. McArdle Roadway location between Arlington Avenue and Grandview Avenue to "Mount Washington Roadway".
—(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Public Works.

Mr. Woods presented

No. 1088 Resolution amending Res. No. 508, appr. June 20, 1984, entitled: "A Resolution providing for a

warrant in favor of Milt Lupus, c/o Financial Management Services, in the amount of $3,900.00 for services rendered to Pittsburgh City Council in conjunction with a review of the financing plan presented for the proposed Pittsburgh Water and Sewer Authority," by changing the funding source from Code Account No. 1001-1, Misc. Services, Supplies, Equipment, etc., City Council/City Clerk's Office, to Code Account No. 1001-2, Salaries, Wages, and Services of Council.

Also,

No. 1089 Resolution providing for the filing of an application by the City of Pittsburgh with the United States of America, Equal Employment Opportunity Commission, for a grant or grants in connection with Deferral of Employment Discrimination Charges, EEOC-706 Project.

Also,

No. 1090 Resolution providing for the filing of an application by the City of Pittsburgh with the United States of America, Department of Housing and Urban Development, for a grant or grants in connection with Deferral of Housing Discrimination Charges (and related activities), HUD-FHP Project.

Also,

No. 1091 Communication from John E. Gabriel, Director, Commission on Human Relations, submitting a report of activities of the Commission during 1983.

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Woods moved to suspend Rule 8 for all Committees providing for the mailing of printed copies of all ordinances and resolutions to each member of Council at least 48 hours previous to their consideration by Council after the return of such papers from Committee.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Woods presented

Bill No. 1092

Report of the Committee on Finance for July 18, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with a **NEGATIVE RECOMMENDATION,**

Bill No. 432

A Resolution entitled, "Resolution indicating Council's intent to hire a Fiscal Analyst to serve Council as advisor in matters relative to bonds, notes, and other financial concerns relative to the operation of City government.

Which was read.

Michelle Madoff:

I have before me the brief that was prepared that went before Judge Sylvestri. For those members of Council who were not here at the time, I will be happy to supply them with a copy as to why the City should have its own fiscal advisor. It's not very long and I think I want it read into the Record.

Mr. Woods and myself, on Friday, June 29th, went to Baltimore and spoke to Ms. Goldsmith. I also have before me Ms. Ronnie Goldsmith's credentials, her resume, and some clippings from the New York Times and some articles from the Philadelphia Inquirer, etc., and judging on the negative recommendation, I would just like to point out and make this very brief, I think if I read the original resolution and then if anybody wants to ask any other questions as to the actual brief itself it might be more precise.

"Whereas, in 1981 Michelle Madoff presented a resolution to City Council to cause Council to hire a qualified fiscal advisor and said resolution was defeated; and

Whereas, in October, 1982, Pittsburgh City Council passed a floor motion presented by Michelle Madoff to grant approval for a qualified fiscal advisor to evaluate the 1983 budget; and

Whereas, no such person was hired as directed by the majority of this Council; and

Whereas, the Council, pursuant to Article 3 of the Charter of Pittsburgh, is a legislative branch of City Government and as such has a duty to exercise independent fiscal judgment; and

Whereas, Council is frequently confronted with major issues that require a higher degree of expertise in economics and general fiscal matters; and

Whereas, the only advice regularly available to Council is from the Administrative legal and fiscal staff of the executive branch which obviates this Council's duty to the public to collect all of the facts, analyze those facts and exercise independent judgment; and

Whereas, in the past this Council has been criticized by the public for voting without proper input on issues; and

Whereas, the City has alternative tax proposals to evaluate from time to time;" — not the least of which recently was our Water Authority and not the least of which was ones that Mr. Givens continually complains about which is the bond issues but votes against this bill — "and

Whereas, the City of Pittsburgh now has a principle bond indebtedness, unfunded pension for police, fire and City employees, and workman's compensation debts, all of which require expert analysis" — and I might add at this point that the latest figure, and I will be coming out with a press release on it, is over a billion dollars. The City of Pittsburgh which is one-third the size of the County has a debt of over $1 billion and we rely on whatever expertise we can find among our friends and what have you and whatever the Administration supplies us with. —

"Whereas, Council will shortly be called upon to vote upon other bonds, capital expenditures, etc.,

Whereas, Council will also be called upon to review the rate structure of Warner;

Whereas, the City is undertaking the development of the North Shore;

Whereas, the City has undertaken a major study to decide which course to pursue in addressing the severe problems of Pittsburgh's deteriorating waterlines and sewage systems;" — We didn't have any advice before we did that except for someone we found two weeks before we had to vote and we voted before they came back with an alternative source of

solution on funding. —

"Whereas, it is Council's duty and responsibility to vote on the budget and all expenditures on a day to day basis and on other fiscal matters; and

Whereas, it is a conflict of interest and a breach of public trust for the legislative body of the City to rely upon the executive branch for legal and fiscal advice." — Mr. Danny Pellegrini is hired by the Mayor, fired by the Mayor, and paid by the Mayor. —

"Whereas, a law requires Council to be thoroughly versed in regard to fiscal matters and analyze the issues from an independent perspective so that Council may be best advised as to the facts, figures and conclusions that are pertinent to Council's decision-making process to permit Council to vote in the best public interest.

Therefore, be it resolved that Council hire a qualified fiscal" — and I'm going to say what we've learned is that it may not be an advisor, it would probably be an analyst; we could give them their own title but we should be looking for some entity to head up our budget department, which is excellent in the ability that it has but does not have the background of being economists, being advisors, such as the Mayor has; the Mayor has a gentleman out of Philadelphia and pays him $30,000 a year; he has Ron Schmeiser to whom he pays a fair sum of money; he has all the bonding people; when they want to get a piece of the pie you can go up to the bonding people and discuss it. When we go out to the bonding people to discuss it they turn us down after they say yes because they get calls from Councilmembers. Council is not receiving the very best in independent advice on a day to day basis when our budget processes come up. In Baltimore they handle it on the basis of four times a year, they don't do it just at budget time. We don't have to do what Baltimore does, we don't have to do what any other City does, but we should have the good common sense to take the best of everybody's process and adapt it to ours. And for this Council to say that they have looked at the job descriptions of the people in our budget office who are very honorable and straightforward and in their own roles quite qualified even though some of them are political appointees. If you talk to them and if they're asked under oath, they've told me if they're asked, "Are you a fiscal advisor?", they're going to say no. Do you know anything about economics? No. Are you an economist? No. Can you give advice on fiscal matters? No. And they Council refuses, I think it's my fifth time up at bat, to get independent fiscal advice.

I'm going to vote for the bill. If the bill fails, I would like to inform Council of my plans. I'd like to have the vote first and then tell you what I'm going to do.

The Chair:

Okay. It's the first bill; it presently has a negative recommendation. We will take it and if you're in favor of the bill vote yes; if you're opposed to the bill vote no. We're only voting on this one issue at this time.

Mr. Givens:

Is it still open for discussion?

The Chair:

Yes.

Mr. Givens:

I'd like to say a few words, if I

might.

Michelle has made certain comments about myself and I have to say that going back six or seven years ago I became very concerned of the taxation of the City of Pittsburgh, our bonding, when we were going out to buy those bonds or sell the bonds for the City, and because the bond market fluctuates just like the mortgage interest rates fluctuates or our personal loans fluctuate.

I have to disagree with her with some of the expertise of our people that serve on our own financial staff. They all have college degrees; some of them are degrees in business, some have been with us for fifteen or so years with a lot of expertise and have seen many budgets go by. Now, in many cases if I am stumped on anything of a financial question, I'll ask them to give me the material. Secondly, I ask for their advice and they have been very candid in their advices, especially when it comes down to that of the Capital Budget. The day in day out workings of the Police Department and Fire Department, Public Works and Parks and Recreation, I don't think it takes an expert to tell us what we need there. But when we go out for capital improvements, what we're going to do, what bridges we're going to build, what roadways we're going to build, what sewers, what reservoirs, waterways, systems and things like that, there then becomes a priority and how quickly can a city do this and how long should they stretch it out. We have and we're going to have humps and valleys and right now we're getting into a big mountain, as what I started six or seven years ago, Michelle picked up on it and other people have picked up on this, my concern of that $1 billion indebtedness that we have. It's not going to hit today but as future mayors come into the City of Pittsburgh, their hands are going to be tied behind them because we're going to have such a heavy burden of paying our borrowed money at the highest rates for almost that particular year when we went out for it. It's alarming how much we have borrowed over the last six or seven years. We cannot continue with that rate. That is my caution flag that I wave and we must give some latitude to future generations that they have the ability to go out and borrow too. If in fact our bond rating has dropped three different marks, it was a AAA rating I think, when I came onto Council and I think now it's a BBA rating. So, we've dropped three different ratings from my recollection. That's very serious. If we drop one more rating we could not even probably float a bond within the City of Pittsburgh. If the Water Department bill was not approved, I think this Administration and this Council would have had a very hard time floating any capital bonds because I think because with our total indebtedness we are slipping into that BBB rating. So, we got rid of the Water Department which took $30 million of that $1 billion indebtedness and of course they just went out as an authority to borrow $96 million without approval from this Council, taking away the authority of the elected bodies which I voted against and many others have voted against.

Mr. President and Mr. Finance Chairman, before I vote on this I have to get a verbal commitment from both of you today on what we are going to do in the future; that is, what are we going to do for the year 1985 fiscal budget? I want, as Michelle has wanted, I don't want a single person, I want financial consulting firms but I want a line item in there for X amount of dollars. I don't think we can go out and compete with the type of monies that we're talking about, $40 - $50 - $90 million, without getting a consulting firm that we're going to have to pay a substantial

amount of money to and we don't want it to be someone that's necessarily in somebody else's hip pocket. We want a true evaluation, that's all, from our perspective. Are we in this Council being constructive for not only this present Council but for many future Councils that are going to come after us? I think that is our obligation to look for not only the future Council's but the future taxpayers. For example, if the water rates are going to go up sky high, how are we going to attract business into the City of Pittsburgh? That's a question I have to ask myself. We could have done it another way by raising the rates temporarily and then dropping them back down. Business people know this and know that the rates are going to come back down after you refurbish the system or at least you got a good water system that, if they build a company here and they expend multi-millions and millions of dollars, they know they're going to need a water supply. As Jack Wagner has indicated, our waterways is the greatest resource that we have and I don't care where you go in this country, we've got three big rivers out there and God help us; I mean, that's the thing that's going to give us a shot in the arm and bounce us back economically, be it the steel business recovery, whatever it might be. But I have to get a commitment or I'm going to have to look at this bill very seriously before we vote on it because I've been asking and Michelle has been asking to get some type of fiscal help on this Council.

I will stop right there and ask that both the President and the Finance Chairman respond to that.

Mr. Woods:

Dick, I think I indicated last Wednesday, both privately and at the meeting to you, as you know we have a line item already in there and we have to put a lot more money in that line item this budget so that we can go out for our own consultants when a particular issue comes up rather than have one full-time. We have to increase that money by a considerable amount so that every issue that comes up such as the Water Authority, then we can go out and hire someone.

Mr. Givens:

I'll just throw out a figure and I don't think we can even look under it. If you say anything less than $50,000 or more than $100,000 I think we're just kidding ourselves. I think somewhere between that figure right there will give us the latitude. Now, if we don't spend that money, God bless us. If we don't need it then it goes back as a surplus for the next year, so we just roll it over. It's not that we're going to go out and spend that money because we have it in our kitty. We don't spend the $5,000 that we have in most cases because we make those independent decisions. There's not that many complicated issues that come up to us. Most of everything that happens is routine. Maybe to first term Councilpeople it is mysterious maybe, but after a year or so here you get to know all the ins and outs of government and as a result it becomes more simpified. But it boils down eventually to our vote, how we vote on this Council. It takes five votes to pass anything and if you think something is wrong then you vote according to your conscience and according to what you feel is the best interest of the taxpayers. Those that don't, then the Record so reflects it and they have to meet the public every four years, as all of us do.

I didn't quite get an answer. Ben, you said —

Mr. Woods:

I said I agree with you, Dick.

Mr. Givens:

You agree with the $50,000 to $100,000 and that will be a line item thing in the budget for next year? Okay then I'd like to hear from the President of Council. I asked for a response from both the President and the Finance Chairman.

The Chair:

I think that the Finance Chairman is running the finance. When I was Finance Chairman I ran it but he's now the Finance Chairman and we'll let him run it. But on the other hand, come budget time if there's enough people who agree with that at that time, that line item will be in. The Finance Chairman has indicated that he will recommend that increase at that time, his contention being, instead of hiring some super human being that knows everything that as the occasion comes you'll get a consultant for the event that is before you so that you're getting expertise in that field rather than diluting it by someone who is supposed to know everything.

Mr. Givens:

I'll just end up my remarks by saying, Ben, that we have a budget coming up that will be given to us in early November and for you possibly to look for some money in some other areas within our Council budget we could use to bring a consultant in to help us, a consulting team or financial consulting firm, whichever we agree upon, for the 1985 budget, that that money be identified and earmarked and put into place so that we can, all of us, be briefed by these consulting firms. Otherwise, you take that budget, analyze it for us and come back and tell us if there are areas that we can improve. Some I might agree with and some I might not agree with. Even if a consultant comes in and tells me that this is the way he agrees, consultants don't have that magic wand up there in the sky that the good Lord has. They're giving an intelligent, educated guess, as well as our President of the United States and all the time they don't always make the right decisions just as all the time we don't make the right decisions.

Michelle Madoff:

Mr. Chairman, as you may recall, members of Council and colleagues, that until this year my request has been for a fiscal advisor, not a fiscal analyst. The reason I changed, and I would like to share with you, this super human being that Mr. Stone refers to, instead of hiring a super person on an on-going basis which may not be available, we should go back to my original premise so in essence I can consider this a real victory because I'm finally going to get, and I say "I" because I pushed hardest for it, a fiscal advisor. That's seems to be the consensus now that when budget time comes we'll put the money aside to have a fiscal advisor of some kind, a group or something to us. But I want to read to you very quickly, the resume, the credentials of Ms. Ronnie Goldsmith and I don't think she's the only one who graduated from her class or many classes before and since she has been in her training.

Ronnie J. Goldsmith, Ph.D. Baltimore - The Fiscal Advisor to the City Council of Baltimore, Maryland, is also the Director of the Office of Financial Review, overall responsibility for financial analysis and evaluation of multi-billion dollar City budget, including independent expenditure

forecasting and review, projections, review of expenditure patterns of all City agencies on a quarterly basis, not the last month or last two months before we end the year. Managerial responsibilities include the development of alternative revenue sources, cost control mechanisms, creative techniques for financing of government services as well as capital projects, supervision of staff of six City Council standing committees. The Baltimore City Code provides for the selection of a fiscal advisor by a nation-wide search committee which includes the President of the John Hopkins University, President of the Greater Baltimore Committee, the President of the Maryland CPA Association, and the President of the Baltimore City Council. She was a visiting professor for Metropolitan Planning and Research, John Hopkins University, Baltimore, teach graduate courses in public finance,—

I could go on with her credetials and she is not unique. But what I think is fascinating is that there is an addendum to all this. Her credentials go on for two pages like that and then —

The Chair:

Are we going to get the full treatment?

Michelle Madoff:

You are going to get the full treatment. Then it says, "Enclosed you will find my resume in response to the advertisement for the position as fiscal advisor to Baltimore City Council for the past four years. I have established a track record as an independent professional and result oriented government finance officer. My initiatives have included the design and implementation of a computerized financial management control system based upon quarterly revenue and budget projections for 42 City agencies and 168 programs." As a result of the implementation of this system, a general fund operating deficits were reduced from $21 million in their fiscal year, 1982, to $5 million through her efforts.

Another item. The development of a variable benefit program from the 750 million Baltimore city public employee retirement system. Based upon earnings on system investments the variable benefit program will provide 10.7 percent to 32 percent, increases in the pension of 5,000 city retirees. So, she's raised the benefits for the 5,000 city retirees from 10 percent to 32 percent through innovation and by doing it quarterly and not at the last minute and by being there every day on the job.

And then, the design and implementation of a standard format for the reveiw of all industrial development and revenue bond finance project, the kind of thing Mr. Givens is asking about, requiring legislative authorization as a result of the system instituted which included cash flow analysis as well as the analysis of bonded debt incurred in non-debt expeditures done on a quarterly basis, 80 projects financed by RB and UDAGS and revenue bonds were approved by the Baltimore City Council in the fiscal year '83.

As my resume suggests, my academic as well as my professional experience provided me with analytical, that's what we don't have on an on-going basis, managerial interpersonal skills required for the position.

I think that that's the point I'm making. The people we have are eminently qualified but we don't have anyone of the caliber of Ms. Ronnie Goldsmith who is not available to us. I

don't think she's even going to stay with Baltimore that long; I think she's going into the private sector. But there are people with similar credentials that we can hire on an on-going basis if we really care about a debt of over $1 billion. Now it's up to us to either vote for it or not vote for it.

Mr. Wagner:

Mr. President and members of Council, I think I've jumped back and forth on this issue more than any one of us and I've concluded that even if we did have a fiscal advisor I feel we would still have to go out and hire a specialist in certain areas such as bonds, the Stadium Authority, the Water and Sewage Authority, mainly because there is no expert in the field of economics. It's such a broad, in-depth field. But within the last week I've taken a pretty close look at our budget people, headed up by Mr. Buckley, and I've found that they are very competent and they do do an excellent job for us. At this time, I don't think we should be going out and spending another $50,000 and possibly with staff a couple hundred thousand dollars to hire additional people for Council. However, the point has been brought up by Mr. Givens and Councilwoman Madoff that we do need specialists at certain times. I agree with that and I think the time has come when we should adopt a policy where we incorporate into the budget a certain number of dollars to do that each year on bond issues, etc. I think we're moving, though, in the right direction. We've recently been provided with job descriptions from the people in the capital and operating budget area. I think that's a good first step in letting us know what those individuals do, what they're supposed to do, and also helping them understand their job responsibilities. I'm sure those job descriptions need to be further analyzed and approved upon and I'm hoping that all of us together can do that. But based on all of the conversation on this issue, I personally feel at this time the best way to go is with the consultants when needed.

Mr. Robinson:

Mr. President and members of Council, I'm in full support of Council Bill 432 and I'm in full support of the notion that we need to employ a firm that does have experience in notes, bonds and municipal finance. I think it's rather obvious in those instances where this City Council, over the last three or four years, has been asked to make decisions on bonds, on other municipal finance matters where millions of dollars are involved and that is separate from our regular City budget. We have not called upon our staff here at City Council to provide us with any type of analysis or any type of information. It's not fair to them to suggest that they are experts in municipal finance or that they are engaging in any kind of analysis of budgetary process or bond or note indebtedness. They are not. And I don't think their competency has been brought into question by any of us who support this bill, certainly not myself. I think the job that they are performing is an important job but like all jobs in municipal government today, their job is expanding and growing. On several occasions I have suggested that our fiscal people have the opportunity to participate in seminars and conferences and it's just been in the last two years that we have allowed our staff to go to those seminars and conferences to improve themselves. That's something that probably we should do for other staff, not only for their own personal development but for the betterment of the City. But in this whole area of hiring somebody to help us with bonds and notes, I think that it's only prudent for us

to balance the input of the Adminstration in this area. I think that's the responsible way to approach it; it does not involve personalities or personal preferences. On many occasions we have not had any other information provided to us except that information provided to us by the Administration. While I have a deep respect for Mr. Schillo and Mr. Schmeiser and certainly consider them far more knowledgeable than many in City government area of municipal finance, as an elected official I feel I have an obligation to get independent information that can be shared with Mr. Schillo and Mr. Schmeiser and that together with this Council and the Mayor we can come to a sound and prudent decision for the people of the City of Pittsburgh. I think the examples of the rate increase for Warner Cable and our present discussion of Warner's fiscal status should at least indicate to us that we as a Council do not have all the necessary technical expertise that we need to properly evaluate situations of that type and to make a decision. The fiscal impact of the decisions that we're making in the areas of municipal finance are devestating and for a city like many cities in the northeast, which is attempting to still progress under one of the worst recessions this country has ever experienced it only seems to make good fiscal sense to make sure that we have the most qualified people or group of people working with us so that our decisions are based on some type of sound analysis, some sort of impartial analysis. I have not advoated bringing in one person, I have advocated bringing in a firm. I think that if we're going to consider anything at all we should consider a firm that is skilled in municipal finance. There are several available throughout the United States, there's some in this City, and I don't think in any way we should feel reluctant to do what is in the best interest of the people of the City of Pittsburgh and to spend some of their tax dollars to hopefully save them tax dollars in the long run. We owe it to them and I think we owe it to ourselves. I'm in full support of Council Bill 432.

Michelle Madoff:

Mr. Stone, I think it's important to point out, Councilman Wagner, that while all of us here in times of recession and perhaps more of a depression in this community would like to appear to not want to spend tax dollars that are unnecessary, the fact remains and I just quoted you, not fairy tales but facts, that by having a fiscal analyst they do save more than her salary by a factor of maybe 100 times. It's cost effective to have an economist on board all the time heading the Budget Office.

To the other memebers of Council, may I point out, if I have not previously, that when the issue came up of Baltimore going to a water authority, they did indeed do just what was suggested. They went out and hired an expert in the field of water authorities. So, they have two things. They have a fiscal analyst and fiscal advisors. So, what I've won today I gather is my bill that I've been pushing for four years which is fiscal advisor. But to have a fiscal analyst on board on the time, which is what this bill is about now, is to save her salary many, many times over. That's what the issue is today. Do we have and are we willing today to have a person with us with the credentials to take the best use of the abilities of the budget people we have in our office today? That is the issue. That is the gut issue.

Mr. O'Malley:

I'd like to make one quick comment. I feel in the near future that we're going to have the opportunity to

satisfy everyone on this Council position. It's my understanding that Mr. Eddie Albert, our Capital Budget Controller, may retire. Mr. Albert's salary I'm told is $38,900 a year. I think to fill Mr. Albert's position we should certainly find the most qualified person available and also realize that we have some very capable people on our staff now; Mr. Al D'Alessandro and Mr. Vaughn could do an excellent job and who are also commended for continuing education in the field of municipal finance. They've attended many of the seminars that Mr. Robinson mentioned. I think both of these young men do an excellent job. If they fill the qualifications that this Council lists and the requirements that this Council needs, I think certainly one of them should fill that position. If not, then I think this Council should go out and hire the most qualified person that we can find to fill Mr. Albert's position.

One more point is that I don't think any person that we hire will be able to answer all the complex questions that are going to arise over the next few years. So, I also feel there is going to be a need for consultants in the future.

The Chair:

Clerk, call the roll.

Mr. Givens:

I'll make my statement by making a comment that old Will Rogers used to say. "If you can't put it on one sheet of paper it's not worth reading." What I'm saying is if you try to get one fiscal advisor, it's not going to be worth the while. I've stated that what we need to do is to go out and have the money and the capability to hire a financial fiscal firm that is expertise in any area that we feel that we need that expertise in and hire that firm for that specific thing. I am not going to hire just a person for a fiscal advisor. And that's what this ordinance, 432, is all about; to hire a fiscal person. I'm not going to do that; I don't think it's fair to that taxpayers of the City of Pittsburgh.

With that in mind, Mr. Chairman, and with that fact that our Finance Chairman said that he will make some money available for the budget that will be coming before us, I vote no.

Michelle Madoff:

I'll try once more. The fiscal advisor and the fiscal analyst are two separate and apart entities. The advisor would be on staff on a day to day basis to work with members of Council and to help our Finance Chairman. When a special issue comes up, there would be monies available for a consultant firm in the special entity. I think the point made by Councilman O'Malley is very well taken; I would not mind the bill being amended to say should that position comes up it would be filled by a person of the caliber — and I'll reintroduce this bill, of course next year; I think maybe by then somebody will have seen the light. I certainly vote aye for the bill.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff	Mr. Robinson
AYES 2	NOES 7

VOTING NO:

Mr. Givens	Mr. Wagner
Mr. Grabowski	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Michelle Madoff:

Mr. Stone, I reserve the right to comment.

The Chair:

You do not reserve the right. You are out of order.

Michelle Madoff:

I asked you before. I reserved the right after the bill was voted on to make a statement.

The Chair:

We will move to the next bill.

Michelle Madoff:

You're a very rude gentleman but that's not new.

Also, with an **affirmative** recommendation,

Bill No. 1005

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Tedco Construction Corporation in the amount of $23,104.61, in payment of the new lighting installed in the Offices of the City Controller and Treasurer, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1006

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Insituform East, Inc., in the amount of $37,400.00, in payment for an Emergency Contract for Insituform lining of the sewer on Fourth Avenue from Market Street to 360 lineal feet West to Stanwix Street; and providing for the payment thereof."

Which was read.

Michelle Madoff:

On Bill 1006, I am an investor so I cannot vote for it. I abstain on it.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

(MICHELLE MADOFF ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1010

A Resolution entitled, "Resolution providing for the acceptance by the City of Pittsburgh from South Hills Health System successor to St. Joseph Hospital and Dispensary of Pittsburgh of certain property in the 19th Ward of the City of Pittsburgh for public greenway purposes at no cost to the City of Pittsburgh."

Which was read.

Also,

Bill No. 1011

Resolution repealing Item G of Resolution Number 392, approved May 11, 1984, which repealed Resolution Number 363, approved May 5, 1977 for sale of lot in the 20th Ward, 313 Marena Street (21-R-244) to Bernard Schmiedeke (assigned to Kevin Lenz) for the sum of $500.00. Resolution is to reinstate original Resolution.

Which was read.

Also,

Bill No. 1012

Resolution amending Item B of Resolution Number 316, approved April 24, 1984, for sale of vacant land on Frazier Street (4th Ward) Block and Lot 29-M-256-261-262, to Paul Surgent and Marnie S. Brasher, for the sum of $400.00. Amendment is to correct spelling of former owner's name from Flinn to Flynn and to correct the Treasurer's Sale Number to read 59 instead of 129.

Which was read.

Also,

Bill No. 1013

Resolution amending Item C of Resolution Number 316, approved April 24, 1984 for the sale of vacant land in the 10th Ward on Brown's Way, Various Locations and Block and Lot Numbers to Garfield Jubilee Association, for the sum of $3,000.00. The reason for the above amendment is to correct the Treasurer's Sale number in parcel 50-M-56A, which should be #1646 instead of #471.

Which was read.

Also,

Bill No. 1014

Resolution amending Item L of Resolution Number 422, approved June 1, 1984 for the sale of a lot in the 30th Ward on Bausman Street (14-P-230) to Patrick Duffy, for the sum of $300.00. Amendment is to correct the year from 1979 to 1949. Both the Proposal and the Resolution should read: Acquired on July 5, 1984.

Which was read.

Also,

Bill No. 1015

Resolution repealing Item G of Resolution Number 446, approved June 6, 1984, for the sale of a house on 1208 Murtland Avenue, (13th Ward) Block and Lot 125-D-113, to Albert W. D'Angelo, for the sum of $2,500.00. Resolution is to repeal sale and return hand money, as it is a lot, only - no house.

Which was read.

Also,

Bill No. 1016

Resolution amending Item K of Resolution Number 422, approved June 6, 1984, for the sale of a vacant lot at 311 Carrick Avenue, 29th Ward, Block and Lot 94-A-270, to Frank A. Bach, Jr., for the sum of $500.00. Resolution is to correct the address to read 311-1/2 instead of 311 Carrick Avenue, and the Treasurer Sale number should be 2403 instead of 2409, on both the Proposal and the Resolution.

Which was read.

Also,

Bill No. 1017

A Resolution entitled, "Resolution repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 514, as amended, and providing for the forfeiture of hand money."

Which was read.

Also,

Bill No. 1018

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 1054

A Resolution entitled, "Resolution providing for the filing of an application or applications by the City of Pittsburgh with the Veteran's Administration for payment of funds in connection with the Emergency Veteran's Job Training Act of 1983; providing for the execution of a grant contract if necessary and for the filing of various applications, requisitions and other data; approving participation in the Emergency Veteran's Job Training Program; providing for required assurances; providing for execution of applications and for certification of authorized signatures."

Which was read.

Mr. Givens:

Just a little elaboration on Bill 1054 which is a resolution providing for the filing of an application by the City of Pittsburgh with the Veterans' Administration for payment of funds in connection with the Emergency Veterans Job Training Program. This is for all Vietnam Veterans and Korean Veterans that are unemployed, that if they applied to the City for a job and once this action here, this request, there is money in the federal hopper since 1983 to provide 50 percent of their salary and fringe benefits will be paid by the federal

government for a full-time job for the City of Pittsburgh for one year. It's a great advantage, I think, to the City if we're going to hire somebody to try to hire those veterans that have done a good job for their country and secondly that this will be coming on line and I would hope that those veterans would be talking to our personnel section, get their name on the list down there so that when this grant does come in they will be considered and hopefully that will be a swaying point to the Administration as to who to hire because it's going to save us and this Council and the taxpayers and everyone else half of a person's salary which generally ends up to be somewhere in the neighborhood around $12,000 to $15,000 a year savings on every job, keeping in mind that we have almost 5,000 employees in the City of Pittsburgh, we have at least a five to eight percent turnover every year. We could get a substantial savings by both helping the veterans and helping ourselves and the taxpayers all at the same time.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 1093

Report of the Committee on Public Works for July 18, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 994

A Resolution entitled, "Resolution changing the name of Stadium Drive, from Terrace Street to Allequippa Street, in the Fourth Ward of the City of Pittsburgh, to Sutherland Drive."

Which was read.

Mr. Givens:

I would like my remarks on Jock Sutherland to be brought forward from Wednesday's meeting to be put in the Municipal Record and if there's any of the family members still around that if they would be knowledgeable that this is coming about. I think this Council Clerk should try to notify the family members and maybe when we change that street we could have some type of a dedication to that wonderful person of the sports world and to the family members.

(MR. GIVENS' REMARKS ON BILL NO. 994 - WEDNESDAY, 7/18/84)

Mr. Givens:

I think everyone should know who Jock Sutherland was, one of the great coaches in the City of Pittsburgh — I

think the U.S. for that matter — but that was the desire of the University of Pittsbugh, and there is no objection from the surrounding communities.

(END - MR. GIVENS' REMARKS ON BILL NO. 994)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Robinson presented

Bill No. 1094

Report of the Committee on Planning, Housing and Development for July 18, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 999

A Resolution entitled, "Resolution providing for the implementation of a Residential Sticker Parking Program in the Oakland community pursuant to Pittsburgh Code, Chapter 549."

Which was read.

Also,

Bill No. 1000

A Resolution entitled, "Resolution amending Resolution 104, effective March 2, 1984, entitled, 'Providing for a First Amendatory Neighborhood Housing Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of interest earned as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs and for the reimbursement of the Commonwealth for any ineligible expenditures.' to substitute below market rate interest first mortgage loan funds held by the Urban Redevelopment Authority of Pittsburgh as the local matching share for the grant."

Which was read.

Also,

Bill No. 1001

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned property in the 13th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot: 174-L-155, under the Industrial Land Reserve Fund."

Which was read.

Also,

Bill No. 1002

A Resolution entitled, "Resolution approving execution of a contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Congress of Racial Equality for the sale of Parcels 117 and 124 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31 (Single Family Houses)."

Which was read.

Also,

Bill No. 1003

A Resolution entitled, "Resolution approving an Agreement by and between Urban Redevelopment Authority of Pittsburgh and Congress of Racial Equality in which Urban Redevelopment Authority of Pittsburgh will provide financial assistance to the purchasers of houses to be constructed in the Third Ward of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Program."

Which was read.

Also,

Bill No. 1020

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in various wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County Block and Lot Numbers mentioned therein."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

Bill No. 1095

Report of the Committee on Parks and Recreation for July 18, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 995

A Resolution entitled, "Resolution providing for authorization to enter into an Agreement or Agreements with various contractors for services in conjunction with the 1984 Pittsburgh Jazz Festival and providing for the payment of the cost which is not to exceed ten thousand ($10,000.00) dollars and is chargeable to and payable from

Special Parks Program Trust Fund (SPPTF), Code 254359, in the Department of Parks and Recreation."

Which was read.

Mrs. Masloff:

I make a motion to amend this bill, increasing the amount from $10,000 to $15,000.

Mr. Woods seconded the motion.

Michelle Madoff:

Discussion. What is the reason please?

Mrs. Masloff:

It's payable from Special Parks Program Trust Fund and it's in connection with the Pittsburgh Jazz Festival.

Michelle Madoff:

Why are we increasing the money?

Mrs. Masloff:

Because there isn't enough to cover all the costs of all the programs that they want to put on.

Michelle Madoff:

Why can't we get some of it from other sources?

Mrs. Masloff:

We did.

Michelle Madoff:

Why can't we get some more from other sources? I mean, Mr. Wagner talked about not spending money that might make us look like we're spendthrifts on issues that might save this Council money. How can we come up with another $5,000 for the Jazz Festival? Are the suburbanites going to come to this jazz festival?

Mrs. Masloff:

I'm merely making a motion.

Michelle Madoff:

I'd like to know why.

The Chair:

She just indicated that it was not sufficient to pay for it and it's coming out of the trust fund.

Mr. Grabowski:

I'd like to ask something. Is this amendment in writing and was it submitted to the City Clerk?

Mrs. Johnson:

Yes it was.

Mr. Grabowski:

Was it distributed to Councilmembers?

Mrs. Johnson:

Yes it was.

Mr. Grabowski:

No objection.

Michelle Madoff:

I have a question. Will the suburbanites be paying to see this concert? When they come in will they have any contribution towards it? Will

the County be paying any money towards it?

Mrs. Masloff:

Some of this money came from the trust fund, came from foundations and funds. Whether the people who contributed to those trust funds were County residents or not I don't know. I merely made a motion.

Michelle Madoff:

The corporations contributed, is that what you're saying the trust fund is?

Mrs. Masloff:

Yes, some of them. But don't know whether they lived in the City or the County; I didn't ask them.

Michelle Madoff:

Is most of the money coming from the trust fund or is most of the money coming from the City? What's the greater portion?

The Chair:

She just indicated that it's all coming from the trust fund; it was $10,000 and she's increasing it to $15,000.

Michelle Madoff:

What is the total budget? That's probably the question I should be asking.

Mr. Woods:

$15,000.

Michelle Madoff:

No, no. What is the total budget for the festival? Does anybody know?

Finance Officer, what is the total budget?

Mr. Woods:

The Jazz Festival, that's the total budget, $15,000. It was $10,000 and they needed more so it's $15,000.

Michelle Madoff:

So $5,000 of it will come from the City and $10,000 from the —

Mr. Woods:

All of it comes from the trust fund and the trust fund is donations from the private sector, corporations, individuals —

Michelle Madoff:

Including the $5,000 increase?

Mr. Woods:

Including the $5,000 increase.

The Chair:

I'm going to call the question here. If you want any other information you can get that later.

Clerk, call the role on the amendment.

Michelle Madoff:

I abstain for lack of information.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

The Chair:

Is there any discussion on the bill itself?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 1096

Report of the Committee on Engineering and Construction for July 18, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1007

A Resolution entitled, "Resolution repealing Resolution No. 441, effective June 1, 1984, entitled, 'Providing for the issuance of a warrant in favor of the Dick Corporation (D.W. Dick, President), in the amount of $9,770.00, in payment for an Emergency Contract for the repairs of a pin connection on the Fort Pitt Boulevard - Eastbound; and providing for the payment thereof'."

Which was read.

Also,

Bill No. 1008

A Resolution entitled, "Resolution repealing Resolution No. 1045, effective December 6, 1983, entitled, 'Providing for a Contract or Contracts, including the use of existing Contracts, for construction in connection with renovations to the Treasurer's Office, and providing for the payment of the costs thereof'."

Which was read.

Also,

Bill No. 1009

A Resolution entitled, "Resolution amending Resolution No. 802, effective July 27, 1978, entitled, 'Providing for an Agreement or Agreements for Professional Services in connection with

the South Side Riverfront Park; and providing for the payment of the cost thereof, by amending the title to include the Boat Dock and SOD Office, providing for a Supplemental Agreement or Agreements, and by increasing the total allocation by $25,000.00."

Which was read.

Also,

Bill No. 1050

A Resolution entitled, "Resolution amending Resolution No. 498, effective June 22, 1984, entitled, 'Providing for a contract or contracts or the use of existing contracts for the refurbishing of Council Chambers on the Fifth Floor of the City-County Building; and providing for the payment of the costs thereof,' by increasing the total allocation by $6,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1051

A Resolution entitled, "Resolution amending Resolution No. 516, effective June 29, 1984, entitled, 'Providing for an Agreement or Agreements with Bohlin Powell Larkin Cywinski for Professional Architectural Services in connection with the Phase I and Phase II remodeling of Council Offices; and providing for the payment of the cost thereof,' by providing for a Supplemental Agreement or Agreements and by increasing the total allocation by $10,000.00."

Which was read.

Mr. Givens:

On Bill 1051 I vote no and I'd like my remarks to be brought forward from the original bill that was introduced on the Council offices at the Wednesday session.

(MR. GIVENS' ORIGINAL REMARKS - WEDNESDAY, JUNE 6, 1984)

Mr. Givens:

Excuse me. In relation to both these bills, why can it not be done in-house? That's my first question.

THE CHAIR COMMENTS

Mr. Givens:

I mean I have to assume that the monies we're appropriating are coming from — are they coming from our own — this is from the Capital Budget, Community Development Block Grants.

THE CHAIR COMMENTS

Mr. Givens:

So that's there for everyone to use and Council has the right to use it also, so we're not taking from any other budget, but why can we not use our own in-house service? You know we have carpenters, electricians, we have a new engineering section down there, we have architects in the engineering department, and, you know, it's not going to be that big of a deal, I hear, and why can't we use in-house and save going out on contract?

THE CHAIR COMMENTS

MR. WAGNER COMMENTS

Mr. Givens:

Is that true, Mr. McDermott, we do not have any in-house electricians, carpenters, at least an architect?

THE CHAIR COMMENTS

Mr. Givens:

An architect to design what we want, and, I mean we tell you what we want and I think someone could very quickly design that for us without too much trouble. We're moving a few plugs, putting a few walls up, that's all that $100,000.00 is going to generate for us.

Mr. McDermott:

Well, we analyzed the project as —

Mr. Givens:

You know, for example, it's a $100,000.00 project and we're spending $45,000.00 just to tell them how it's done.

(END - MR. GIVENS' REMARKS -

WEDNESDAY, JUNE 6, 1984)

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES 1

(MR. GIVENS VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

I have a floor motion and some information to share with Council.

Last year at this time I requested that we get a fiscal consultant to come in an help us with the budget. We voted for it, it passed, and nobody was hired. We are approaching the time that members of Council will be on vacation and will not be here very much; we're shut down in August and I personally will not be here for all of August. We come back and have the elections; following that, we go into budget hearings almost immediately and I think again it is appropriate, since there seems to be a concensus of opinion, including that of

Mr. Woods, that we will have monies put aside in next year's budget for a consultant to deal with problems that come up. I can think of no greater issue than our budget and I would move that we have a fiscal consultant search committee out to find somebody now so that we have somebody for the budget when we approach that in about November. That doesn't give us very much time but it gives us some time between now and November to hire some kind of firm to help us review the budget. That is my motion.

Mr. Robinson seconded the motion.

Mr. O'Malley:

I have a question. What's the purpose of that, Michelle?

Michelle Madoff:

To help us review the budget for next year, to see that we do the very best we can for the public.

Mr. O'Malley:

It's my understanding that Council has their own budget staff and I thought their purpose was to review the budget and to make recommendations. Either that or we're paying hundreds of thousands of dollars in unnecessary fees.

Michelle Madoff:

I think if you ask Mr. Buckley — he's an honest man and does an outstanding job — for certain figures, he will supply you with the figures. But he's not going to tell you how you can take money from one area and save money and be fiscally conservative or how we can be innovative; that is not his job. It is not the job of the other two people in the office. That is why last year we voted to have a fiscal consultant come in and help us with the budget.

The Chair:

All in favor? Opposed?

The motion fails.

Michelle Madoff:

I would like to register my vote as being aye. Is there any other "aye" vote?

Mr. Robinson:

I vote aye.

Michelle Madoff:

Okay.

On another matter. I had a call come in on my service at home, I keep a 24-hour answering service and unfortunately I could not get back to this woman until today. Her name is Gloria Crumlish, I believe. She is I believe a former Armour worker and she applied to take an entrepreneurial course at CMU. The course started today. She went to see a Dr. Bowman, I believe, who wanted her in the course but she was told that she could not get in the course because she was female. That didn't ring a bell with me; there's got to be something wrong.

So, I have been on the phone trying to get Dr. Bowman and I have just talked to Bernie Powers who is with the County and I've talked to Melanie Smith. Basically as I understand it, and it needs a lot more research, it appears that there are two programs. There is one entrepreneurial program starting today at CMU which is open —

The Chair:

Is that under the City?

Michelle Madoff:

No, this is a County program but open to City people as well, providing you fall into the category of Title 3, as long as you qualify under Title 3 and whatever those parameters are. But there will be another program which starts, I think Melanie told me, October 1st. That is for women only. That woman only program for entrepreneurial training will not be funded unless Ms. Smith gets enough women. So presumably, I'm assuming, she preferred to have this woman in her program than have her go ahead and start the program now when the woman would like to start right now getting her training under the other program.

It is not clear to me because I have not had sufficient time, but I though maybe somebody else on this Council had been approached or knew more about it, what the difference is between Title 3 and Title 2A. I spoke to Mr. Powers and told him I was going to mention it in Council and that the media would probably be there, if they wanted to approach him they could, that it was very unclear to me. He said to feel free to speak about it; he'd be very happy to talk to people about it.

The woman said to whoever was telling her that she could not join the program, I think it was Mr. Powers, of course you're not going to let the man who's from the City in as well. He said, "No, the man could go but the woman couldn't."

The Chair:

May I make a suggestion? Why don't you direct that to Melanie Smith and have her check it out?

Michelle Madoff:

I did and she —

The Chair:

All we're doing is guessing on what it is.

Michelle Madoff:

It's much more serious than that. The program started today and there is a program starting and there is a matter do you qualify under your financial earnings, do you fall into the poverty level or not.

The Chair:

What do you expect us to do here now without the facts?

Michelle Madoff:

What I expect to do is schedule a post agenda to find out why a woman would be banned from a program and why —

The Chair:

But it would seem to me more sensible to call Melanie —

Michelle Madoff:

I did. She said it's very confusing. I spoke to Mr. Powers and he said it's very confusing.

The Chair:

Call Melanie and if that doesn't work go to the Human Relations Commission and let them resolve it for us because what we have with us there's no way we can resolve it.

Michelle Madoff:

Mr. Stone, I didn't ask you to resolve anything. I'm merely sharing information. That's my purpose, to share this information. She is a City resident and I think she's eligible to take that program and I think that in this day and age when someone's told they can't go in because they're female, we ought to at least — Any member of this Council may have some more information. I got the call on my answering service; maybe somebody else had a direct contact and I wondered whether anybody else has had any direct contact. I take it not.

And on the motion of **Mrs. Masloff**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, July 30 1984 No. 31

Municipal Record

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, July 30, 1984

PRESENT:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

ABSENT:

Mr. Givens

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Michelle Madoff:

Would Mrs. Bernice Somma, the wife of Captain Somma, please join me? Roseann their daughter, Christine their daughter, and Nicoletta their daughter, I believe Lewis their son is not here today, Joseph Jr. the son, Matthew the son, and five grandchildren, Domenic, Chris and Ryan. I believe your mother Rose is not present and you have a sister Nicoletta his sister and Henry Somma his brother could not make it today and his father is deceased. We have Mr. Charlie Lewis and I think we have John Pernell, I believe.

It is really an honor to be the person to present this resolution but it's really not a very happy time; it's a very sad time. The reason it's an honor for me to be making the presentation to Mrs. Somma is I don't think she is aware that when we introduced our garage bill, and I must say that Carmen Gunther did the research and did an outstanding job, it wasn't an easy bill to pass in this Council. The person that helped us tremendously was Captain Somma who cared. He cared about people in garages being molested or attacked and fires, and he was a caring person in general and for his help to me personally, Carmen and I really wanted to make this resolution.

Michelle Madoff presents

Bill No. 1177 WHEREAS, Captain Joseph Somma joined the Fire Department in 1956; was promoted to Captain of No. 28 Company in Shadyside in 1963 for 11 years; was an instructor at

the Fire Training Academy on Washington Boulevard for 7 years; was appointed to head the Fire Prevention Division in 1981; and

WHEREAS, Captain Somma was known throughout the City as one of its finest and most dedicated employees normally working 12-18 hour days as he strictly enforced compliance with the City's fire codes; and

WHEREAS, Captain Somma, a tough man with a gentle heart, will be remembered by the firefighters as an instructor who was firm but fair and kept an ongoing relationship with his students and as a leader whose dedication will be difficult to replace; and

WHEREAS, Captain Somma, while he was known as a tough fire code inspector, who was adamant about compliance with the City's fire code, was especially known for his willingness to assist anyone in their efforts to comply; and

WHEREAS, Captain Somma drown tragically on July 4, 1984 while insuring the safety of all the Fourth of July celebrants.

NOW THEREFORE,

BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh honor Captain Joseph Somma for giving his life in the performance of his duties.

BE IT FURTHER RESOLVED, that the entire City of Pittsburgh mourn his death with his wife Bernice; his daughters, Roseann DiLullo, Christine DeMore, Nicoletta M. Somma; his sons, Lewis A. Somma, Joseph A. Somma, Jr., Mark A. Somma, Matthew J. Somma; and all of his grandchildren.

Michelle Madoff moved to adopt the resolution.

Mr. Woods seconded the motion.

Which motion prevailed.

Michelle Madoff:

I remember when Captain Somma helped me with the Wendover when we had, for those members of Council who were not present, when we had fires repeatedly of unknown origin and the only way out of the building was through the front door and the people were terrified. Captain Somma was there to help.

I remember the children in Oakland when we had the fire there and three children, two youngsters who were warehoused were burned to death and the perpetrators went to jail. He was involved in that and was helpful.

I just met Mrs. Somma; it is a very bad time for her but if she would like to say something we would love to hear from her. If she feels not, she may do as she feels comfortable. This is for you to show that we really mean it and I think everybody in the audience is here because they care too.

I speak personally from the heart, he was really a super person who will not soon be forgotten.

Mrs. Somma:

I would just like to say that for myself and for my family, we have no words that can adequately express our appreciation to all of the people of the City but I do want you to know that my husband loved this City. This was his town and he always did his job in accordance with that. I thank all of you.

Mr. Lewis:

On behalf of the Fire Department I'd like to thank Council and the Mayor for this tribute to Captain Somma. Since his passing there's not a day that goes by that we're not reminded of his dedication and his integrity. Every call, every letter is further proof. All we can do is to promise you to keep the high standards that Captain Somma has set for us all. Thank you.

Mr. Burns:

On behalf of Pittsburgh Firefighters Local No. 1, I want to thank Council for honoring Joe. We who worked with Joe know that Joe was dedicated, Joe was fair, and Joe did the job and its fellows like Joe that make Pittsburgh Firefighters Local No. 1 really be No. 1. Thank you.

The Chair:

If I may, to the family, on behalf of all of us in Council as well, we would like to add to what has already been said that we are fortunate that the good Lord permitted your husband to pass this way and this City is much better for he having passed this way. May his memory be eternal.

Michelle Madoff:

Before you leave, I'm going to do something rather unprecedented. Maybe I shouldn't do it but then I've not been known to do what people should do all the time.

I was almost late for session today because I had a radio station call me; would I comment on the hiring of additional firefighters for the City of Pittsburgh. It is Captain Somma and people like him who would go out and do what the firemen does for any amount of money and I'm personally going to be backing the firefighters in every way that I can in any reasonable support.

The Chair:

Thank you all very much.

Mr. O'Malley:

I'd like to have Rose Palmer come up, please.

Mr. O'Malley presents

Bill No. 1178 WHEREAS, on August 10, 1984, a group known as the "Legal Advocacy for Women" will participate in a Prayer Rally in Market Square at noon, in protest of the high occurrence of delinquent child support payments; and

WHEREAS, there were 15,275 new support cases filed and 52,455 support cases reviewed in 1983, an increase of 55% from 1982; and

WHEREAS, 88% of all claims for A.F.D.C. (Aide to Families with Dependent Children) is due to non-payment of child support, costing the taxpayer 30.8 billion dollars annually; and

WHEREAS, it is usually the mother who is forced to assume the financial responsibility of raising the children; and

WHEREAS, the absent parent must be made to realize the importance of their financial obligations to their children.

NOW THEREFORE,

BE IT RESOLVED, that the Members of Pittsburgh City Council hereby recognize August 6, 1984 through

August 12, 1984 as, "Support Your Child Week," to draw attention to the serious problem of delinquent child support, and to urge the courts to impose stricter enforcement of child support laws.

Mr. O'Malley moved to adopt the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. O'Malley:

In a few words I'd like to say that it's sad that many marriages end in divorce and it's also sad that many times it's the children that have to pay the largest price. Although this resolution is meant to address the problems of child support in general, the past practice of the courts of awarding child custody to mothers make it especially pertinent for women.

The discrimination which women have traditionally faced in the job market coupled with the adverse economic climate in Pittsburgh as a whole make it imperative that women raising children alone today and on their own receive full child support payments immediately.

I'd like to have Rose Palmer who is a very good friend and the Executive Director for Legal Advocacy for Women whose program was written by my office and supported 100 percent by my office and was passed unanimously by this Council, I'd like to have Rose say a few words on behalf of Legal Advocacy for Women.

Rose Palmer:

Thank you very much. I'd first like to thank City Council for the grant of $35,000 that we received in March and Councilman Jim O'Malley for sponsoring this for us. This has given us an opportunity to serve people who aren't able to afford an attorney.

Legal Advocacy for Women has set up a support assistance program where we can help people through Family Court and give the assistance needed at that time. We go into the counselling sessions, into the hearings with them. We are not attorneys; we are there just to give them emotional support.

Ninety-nine percent of our clients are on welfare; a lot of them have minimum paying jobs. I saw someone today that their wage was $350 a month; she's supporting three children on that. She is unable to get child support; the gentleman is $10,000 in arears.

We have to have stricter enforcement in the child support laws. This is very important if the children are to be raised properly and if they are to be provided for. It has been too long that the absent parent has shifted their responsibility to the taxpayers. Jim has mentioned to you it's costing $30.8 billion annually in AFDC; it's costing another $540 million in enforcement procedures.

I'm just hoping that with our program we'll be able to assist more and more people. If you don't have money to feed your children you sure can't have money to pay for an attorney and that's where we try to put a block right there and try to step in and help them.

Again, I thank Jim O'Malley and I thank City Council very much.

Mr. O'Malley:

I'd just like to make one more comment and that's the stand that this Council took two weeks ago on

Unspecified Local Options, our CDBG money, if it wasn't for the stand that this Council took to have an input on how those funds are dispersed, groups like LAW and Ms. Palmer's group would not have been funded under current administration policy. The stand that we took last week enabled this group to be funded last year.

Michelle Madoff:

Rose, you should know that Councilwoman Masloff was very active in initiating a program in the parks so that children can be fingerprinted because you have so much of the kidnapping among parents as well.

I want to ask you a question. Your initial grant is $50,000?

Ms. Palmer:

No, it was $35,000.

Michelle Madoff:

That's peanuts. It's not going to go very far. That's seed money.

Ms. Palmer:

We're hoping to be able to seek additional funding. We are in dire need of more; we're trying to seek County funding.

Michelle Madoff:

The reason I'm mentioning it, you know, all these things look very nice and they say, "Isn't it wonderful we're doing these things?". I know I've worked with you and I know how long and hard you've tried even to bring it to this point and you're just really a fledgling, just starting. You need help and you need money. The original $35,000 is coming from Unspecified Local Options —

Mr. O'Malley:

CDBG funds.

Michelle Madoff:

Okay. Have we done anything from this Council to encourage the County to match some funds or to do something?

Ms. Palmer:

I have been working trying to get the County —

Michelle Madoff:

With Barbara Hafer particularly?

Ms. Palmer:

Yes.

Michelle Madoff:

Barbara Hafer has turned up with some things that one would not turn up with, concerned with women. Very concerned. You've spoken to her personally?

Ms. Palmer:

No, I haven't been able to —

Michelle Madoff:

I would suggest that you do that; if not, I'd be happy to talk to her with you if you would like. I'll give you another source, I'll tell you in a moment, who is very supportive of female activities. I'll tell you who to contact.

Ms. Palmer:

The City has been very helpful. There are 51 such organizations across the United States and may I add that the

City of Pittsburgh was the very first one to fund any of them. We were the first one and since then two others have been funded.

Michelle Madoff:

Are we throwing the fathers in jail that aren't paying?

Ms. Palmer:

No we're not.

Michelle Madoff:

It's about time.

Ms. Palmer:

Right. We're trying.

The Chair:

Thank you.

Mr. O'Malley:

I'd like to have Mr. Bill Conway. Bill is an old friend who has done a tremendous amount of work in the community groups in the City of Pittsburgh, and Wendy is very active and very helpful.

Mr. O'Malley presents

Bill No. 1179 WHEREAS, the National Association of Town Watch is sponsoring a special crime prevention project on August 7, 1984 called a "National Night Out" from 9:00 o'clock, p.m. to 10:00 o'clock, p.m.; and

WHEREAS, the Neighborhood Centers Association and the Pittsburgh Neighborhood Alliance plays an essential role assisting the Pittsburgh Police Department, through its crime prevention efforts in Pittsburgh and is supporting and co-sponsoring "National Night Out" locally; and

WHEREAS, it is important that all of the citizens of Pittsburgh be aware of the importance of community crime prevention programs and the valuable impact that their participation can have on reducing crime in our neighborhoods; and

WHEREAS, the National Night Out provides an opportunity for Pittsburgh and other communities across the country to join together and demonstrate successful programs like crime watch; and

WHEREAS, neighborhood spirit and cooperation is the key ingredient of the "National Night Out" project and to helping the Pittsburgh Police Department to fight crime.

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby call upon all citizens of Pittsburgh and upon all civic and educational organizations to join the Neighborhood Centers Association and the Pittsburgh Neighborhood Alliance and the National Association of Town Watch in supporting and participating in "National Night Out" on August 7, 1984.

BE IT FURTHER RESOLVED, that Pittsburgh City Council do hereby proclaim Tuesday, August 7, 1984 as "National Night Out" in the City of Pittsburgh.

Mr. O'Malley moved to adopt the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. O'Malley:

I'd like to have Bill say a few words because he was very instrumental. It was my office that started the Block Watch Program and the Crime Watch Program over four years ago in the City of Pittsburgh. Bill has been very instrumental in helping us get that program off the ground.

Bill Conway:

Thank you, Jim. I think this is either the fourth or the fifth time that I have been before Council accepting a resolution like this and it probably will not be the last time.

I would like to say a few words though about what is happening on August 7th from 9 o'clock p.m. until 10 o'clock p.m.. It's going to be a unique nation-wide crime prevention experiment and it's going to take place throughout the country. A number of City Councils and Mayors across the country have wholeheartedly embraced this program and they have set aside on their calendars 9 o'clock next Tuesday evening to participate.

The concept of this program is relatively very simple. Basically, we're asking residents to spend one hour on their porches, on their front lawns, outside of their homes, to have a visible presence in their communities. At the same time, we're asking local police departments to monitor crime that does or does not take place during that one hour. We anticipate a significant drop in crime statistics during that one hour.

The program is really designed to combat the after dark fear of crime that many people have in our neighborhoods. We have an opportunity here at no cost, at relatively no cost, to become involved in a public safety program. Many times only a small percentage of people become involved. Well, this is an opportunity for a whole lot of people to get involved, again at no cost.

There are some other folks here today that I'd like to acknowledge. We have probably one of the best organized block watches up in the 30th Ward, Knoxville, and we have two people from that block watch; Barbara Walter and Lynn Englehart from the 30th Ward Block Watch of Knoxville. Also, one of the organizers that the City of Pittsburgh actually funds through its Block Watch Program through PNA is here and she is organizing out in the East Liberty area and that is Carrie Baltimore. Finally, I'd like to acknowledge Wendy Gratz who is the Executive Director of Pittsburgh Neighborhood Alliance for her wholehearted support of this program.

Again, I'd like to ask you to set aside one hour on Tuesday evening, August 7th, to be on your front porches or on your front lawns and participate in this program. Thank you very much.

The Chair:

Thank you.

Mr. Grabowski for Mr. Givens presented

No. 1097 Resolution transferring the sum of $60,000.00 from Code Account 1167, Index Code No. 116707, Wages, Regular Employees, Department of Environmental Services, to Code Account No. 1160-1, Index Code No. 116012, Premium Pay, Department of Environmental Services. The transfer is necessary to cover the additional costs as a result of holidays.

Which was read and referred to the Committee on Finance.

Mr. Grabowski moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Also,

No. 1098 Resolution transferring the amount of $1,000.00 from Code Account 1633, Materials to Code Account 1631, Misc. Services; both Code Account are within the Bureau of Operations, Painting Division, Dept. of Public Works.

Which was read and referred to the Committee on Finance.

Also,

No. 1099 Resolution amending the title and Section Nos. 1 and 2 of Res. No. 561, approved June 28, 1984, eff. July 12, 1984, entitled: "Vacating Idaho Way from Nebo Street to Josephine Street, Neffle Way from Nebo Street to Josephine Street, Vonark Way from Nebo Street to Josephine Street and Nebo Street from the westerly line of Idaho Way to the easterly line of Vonark Way, in the 16th Ward of the City of Pittsburgh.

Also,

No. 1100 Resolution granting unto Dom J. Zullo, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a stairway and sidewalk over a portion of the right-of-way of Sunapee Way, in the 14th Ward of the City of Pittsburgh.

Also,

No. 1101 Resolution granting unto David A. Wright, Box 194A Wiley Road, Saxonburg Boulevard, Pgh., PA 16056, his administrators and assigns, the privilege and license to construct, maintain and use at his own cost and expense, four (4) Balconies over on a portion of the sidewalk of Suisman Street near James Street in the 23rd Ward of the City of Pittsburgh.

Also,

No. 1102 Petition from the residents of the City of Pittsburgh, requesting a public hearing before Council concerning improvements long overdue for Meta Street and request that the City Department of Public Works address these concerns: Section A with immediate priority; A. Meta Street from Oneida Street to Meridan Street Condition - Existing paved surface is one lane wide and is partly located on private property. 1). Therefore, Meta Street should be widened into two lanes and relocated onto it dedicated right-of-way. 2). This improvement should include adequate storm drains and at least one sidewalk for pedestrian safety. B. Meta between Oneida Street and Plymouth Street Condition - Existing access is one lane unpaved and is primarily located on private property. 1. Street should be paved on existing location and the paper street part of Meta should be vacated. This requires dedication of private property for the relocated Meta Street.

Which were severally read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 1103 Resolution transferring $70,000.00 from Code Account 1141, Index Code 114108, Salaries and Wages,

to Code Account 1126-1, Index Code 112615, Premium Pay.

Which was read and referred to the Committee on Finance.

Also,

No. 1104 Resolution providing for the purchase and delivery of Two Way Mobile Radios for the Police Department, at a cost not to exceed $273,000.00 payable from Code Account SD-83-01, Misc. Equipment, City Departments.

Which was read and referred to the Committee on General Services.

Mrs. Masloff presented

No. 1105 Resolution authorizing the issuance of a warrant in favor of New Image Press in the amount of $679.36 in payment for the emergency purchase of July 4th printed programs, chargeable to and payable from Code Account Special Parks Program Trust Fund, Index Code 254359, Dept. of Parks and Recreation.

Also,

No. 1106 Resolution transferring the amount of $2,500.00 from Code Account Code Account 1808 Index Code 180802, Equipment, to Code Account 1828-1, Point State Park Premium Pay, Index Code 182816.

Also,

No. 1107 Resolution transferring $75,000.00 to the Maintenance Management System Trust Fund from the following accounts: Code Account 57-1, Index Code 005710, Retirement Severence Pay - Sick Leave in the Dept. of Finance the amount of $50,000.00, and from Code Account 1801, Index Code 180109, Misc. Services, Dept. of Parks and Recreation the amount of $25,000.00; and providing for an Agreement or Agreements with Arthur Young to provide Professional Services in connection with the Maintenance Management System Project, at a cost not to exceed $75,000.00 chargeable to and payable from Code Account Maintenance Management System Trust Fund, Dept. of Parks and Recreation.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1108 Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting permission for Susan E. Davis, Sandra Reed, Ed Sharbaugh, Howard Watts, Kris Krausse and Larry Van Buren to attend the Keystone State Games, Penn State University, August 10-12, 1984. All costs will be paid by the Pittsburgh Goal Getters Sports Team.

Also,

No. 1109 Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting permission for Duane Ashley and Craig B. Merritt to travel to Davenport, Iowa, July 26-28, 1984, to study a finishing line service company being considered for the Great Race. All expenses will be paid by the Great Race sponsors.

Which were read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 1110 Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of

certain work in connection with the 1984 Community Development Block Grant Program; the City of Pgh. desires to designate the Urban Redevelopment Authority of Pgh. as its agent for conducting the Home Improvement Loan Program, including the issuance of up to $15,000,000 of Home Improvement Loan Program Revenue Bonds; the City of Pgh. desires to designate the Urban Redevelopment Authority of Pgh. as its agent for conducting the Neighborhood Reinvestment Program, including the issuance of up to $15,000,000 of Mortgage Revenue Bonds.

Also,

No. 1111 Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1984 Community Development Block Grant Program, for the implementation of various programs, at a cost not to exceed $120,000.00 payable from CP-84-05 URA Planning & Management, 4-35-05-4005-84-96-84-35.

Also,

No. 1112 Resolution providing for the execution of a Sixth Amendatory Herr's Island Cooperation Agreement with the Urban Redevelopment Authority of Pgh. to increase funding under the Cooperation Agreement by $300,000.00 from $2,560,000.00 to $2,860,000.00 chargeable to and payable from UR-84-31 Herr's Island Project, 4-45-27-1915-84-247-84-45.

Also,

No. 1113 Resolution providing for the filing of an application by the City of Pittsburgh with the United States Dept. of Housing and Urban Development for a grant in connection with the Housing Development Grant Program; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Beechwood Towers Housing Development Grant Project; etc., providing for the deposit of the funds in a bank account. The Beechwood Towers, located in Pittsburgh's Squirrel Hill neighborhood is for construction of a 100-unit apartment building. The units will contain two bedroom with 20 of the units rented to low income families. The low income families will pay $288.00 a month and the remaining units will rent for $495.00 to $539.00 a month. The financing will be a Housing Development Grant of $2,200,000.00 and a first mortgage loan of $2,624,000.00.

Also,

No. 1114 Resolution providing for the filing of an application by the City of Pittsburgh with the United States Dept. of Housing and Urban Development for a grant in connection with the Housing Development Grant Program; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Bates Street Housing Development Grant Project; etc., providing for the deposit of the funds in a bank account. The Bates Street project, located in Pittsburgh's Oakland area, is for construction of 68 one, two and three bedroom units. Twenty percent (20%) of the units will be rented to low income families with rents of $240.00, $270.00 and $300.00 for the one, two and three bedroom units. The remainder of the units will carry a monthly rent of $400.00 to $600.00. Financing for the project will be a Housing Development Grant of $1,000,000.00 and a first mortgage of $2,454,444.00.

Also,

No. 1115 Resolution providing for the filing of an application by the City of Pittsburgh with the United States Dept. of Housing and Urban Development for a grant in connection with the Housing Development Grant Program; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Brighton on the Park Housing Development Grant Project; etc., providing for the deposit of the funds in a bank account. The intention of Brighton on the Park, located in Pittsburgh's North Side, is to provide rental housing for disabled persons. The project is for the construction of 70 one and two-bedroom apartments. Twenty-five percent (25%) of the units will be rented to low income families ranging from $210.00 to $235.00 a month. The remaining units will have a monthly rent of $575.00 to $600.00. The financing will be a Housing Development Grant of $2,100,000.00 and a first mortgage loan of $3,845,107.00.

Also,

No. 1116 Resolution providing for the filing of an application by the City of Pittsburgh with the United States Dept. of Housing and Urban Development for a grant in connection with the Housing Development Grant Program; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Highland Plaza Housing Development Grant Project; etc., providing for the deposit of the funds in a bank account. Highland Plaza is the construction of 17 one bedroom units and 49 two bedroom units located in Pittsburgh's Shadyside. Fourteen of the units will be rented to low-income families at a rent level of $193.00 for the one bedroom units to $215.00 for the two bedroom units. The remainder of the units will be rented at $435.00 for the one bedroom units and $600.00 for the two bedroom units. Financing for the project will be a $1,300,000.00 Housing Development Grant, and a first mortgage of $2,000,000.00

Also,

No. 1117 Resolution providing for the filing of an application by the City of Pittsburgh with the United States Dept. of Housing and Urban Development for a grant in connection with the Housing Development Grant Program; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Davison Square Apartments Housing Grant Project; etc., providing for the deposit of the funds in a bank account. The Davison Square Project is the substantial rehabilitation of the old St. Margarets Hospital, a vacant structure located in Pittsburgh's Lawrenceville neighborood. The stucture will be converted into 99 units with 25 units benefiting low-income families. There will be 11 efficiency units, 30 one bedroom, 26 two bedroom, 6 three bedroom and 1 four bedroom unit. The financing will be a $1,800,000.00 Housing Development Grant, and a first mortgage loan of $2,400,000.00.

Also,

No. 1118 Resolution providing for the filing of an application by the City of Pittsburgh with the United States Dept. of Housing and Urban Development for a grant in connection with the Housing Development Grant Program; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Fifth Avenue Apartments Housing Development Grant Project; etc., providing for the deposit of the funds in a bank account. The Fifth Avenue project is located in Pittsburgh's Oakland area and is for the construction of 28 two-bedroom and 3 one-bedroom units. Twenty percent (20%) of the units will be rented to low-income families at

rents of $240.00 for the one-bedroom unit to $270.00 for the two-bedroom units. The remaining units will be rented at $680.00 a month. Financing will be a $420,000.00 Housing Development Grant and a first mortgage loan of $1,346,640.00.

Also,

No. 1119 An Ordinance supplementing the Pittsburgh Code, Title One-Administrative, Article VIII, Procedures, Chapter 161, Contracts, by adding Section 161.19, Subsections (a) (5) and (a) (6). **—(SPONSORED BY MR. ROBINSON)**

Also,

No. 1120 Resolution amending Section 10 of Res. No. 301, eff. April 24, 1984, entitled: "Providing for the filing of a Community Development statement by the City of Pgh. with the U.S. Dept. of Housing & Urban Development for a grant in connection with the 1984 CDBG Program; providing for the execution of Grant Contracts and for the filing of other data; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; providing for the deposit of the funds in a bank account and providing for payment of expenses within categories"; so as to adjust line item titles, add project numbers and line item designations, and reflect the new Grant amount as provided by the Dept. of Housing and Urban Development.

Also,

No. 1121 Resolution amending Res. No. 1090, eff. Nov. 12, 1981, entitled: "Providing for an Agreement or Agreements with the Brashear Association of the South Side and the Urban Redevelopment Authority, so as to renovate the Brashear Association Center at 2005 Sarah Street and the Henry Kaufmann Center at 2201 Salisbury Street for continued use as multi-purpose neighborhood centers," so as to increase the amount allocated to complete the project from $190,000.00 to $240,000.00.

Also,

No. 1122 Resolution amending Res. No. 420, eff. June 10, 1983, entitled: "Providing for an Agreement or Agreements with the Neighborhood Centers Association, located on the East North Side, and the Urban Redevelopment Authority, for the construction of a community facility," so as to increase the amount allocated from $75,000.00 to $125,000.00.

Also,

No. 1123 Resolution amending Res. No. 1086, eff. Nov. 12, 1981, entitled: "Providing for an Agreement or Agreements with the Hill House Association and the Urban Redevelopment Authority for the renovation of the Hill City Building located on Bedford Avenue in the Hill District", so as to increase the project amount allocated from $150,000.00 to $185,500.00.

Also,

No. 1124 Resolution providing for an Agreement(s) with Consultant(s) to assist the City in preparing and implementing a two-way communications process for the purpose of citizen involvement in planning, implementing and evaluating City programs and projects including but not limited to the Six-Year Development Program, the Community Development Block Grant

Application and the Neighborhood Revitalization Program, and for providing planning and architectural assistance, at a cost not to exceed $250,000.00 chargeable to and payable from CP-84-02, 4-35-01-0002-84-50-84-35, Citizen Participation and Technical Assistance, including Architects Workshop (Index Code - CDCP - 220202).

Also,

No. 1125 Resolution providing for an Agreement or Agreements with the Port Authority of Allegheny County for continuation of the Hill District and Oakland Loop Bus, for transportation services from May 1, 1984 through April 30, 1985 for low and moderate income persons of the Hill District and Oakland, at a cost not to exceed $200,000.00 chargeable to and payable from the 1984 Community Development Block Grant Program, "Hill/Oakland Loop Bus", Department of City Planning (CP-84-06), Project No. 4-35-05-3084-84-240-84-35, (Index Code - CDCP - 220202).

Also,

No. 1126 Resolution providing for an Agreement or Agreements with the Ursuline Center, located at 201 S. Winebiddle Street, and the Urban Redevelopment Authority of Pgh., for the renovation of a building to serve as a hospitality house for low/moderate income persons who have family members in the hospital, at a cost not to exceed $50,000.00 chargeable to and payable from the 1984 Community Development Block Grant Program, "Unspecified Local Option" (CC-84-01), Project No. 4-40-05-0005-84-905-84-35, Index Code - CDULO - 220806.

Also,

No. 1127 Resolution providing for an Agreement(s) with the Mom's House, Inc., a non-profit organization offering a free day care program for low and moderate income young mothers who are enrolled as students, for the purchase of a building in which to operate the program, at a cost not to exceed $35,000.00 chargeable to and payable from the 1984 Community Development Block Grant Program, "Unspecified Local Option", Project No. 4-40-05-0350-84-926-84-35, Index Code - CDULO - 220806.

Also,

No. 1128 Resolution providing for an Agreement or Agreements with the Welfare Rights Organization of Allegheny County, a non-profit corporation which attempts to improve the quality of life for public assistance recipients and other low-income residents through employment counseling, referral placement and community services, to provide services to low and moderate income residents of the City of Pittsburgh, at a cost not to exceed $40,000.00 chargeable to and payable from the 1984 Community Development Block Grant Program, "Unspecified Local Option", Project No. 4-40-05-0040-84-923-84-35; Index Code - CDULO - 220806.

Also,

No. 1129 Resolution providing for an Agreement or Agreements with the Hunger Action Coalition of 4401 Fifth Avenue, and the Urban Redevelopment Authority of Pgh., for the rehabilitation of a structure on Penn Avenue, to be used as office space for the Agency, at a cost not to exceed $30,000.00 chargeable to and payable from the 1984 Community Development Block Grant Program, Unspecified Local Option (CC-84-01), Project No. 4-40-05-0030-84-929-84-35, Index Code - CDULO - 220806.

Also,

No. 1130 Resolution providing for an Agreement or Agreements with the Neighborhood Fund, Inc., a non-profit group knowledgeable in community organizational development for the administration of a program to provide financial and technical assistance to small, community-based organizations, at a cost not to exceed $100,000.00 chargeable to and payable from the 1984 Community Development Block Grant Program, "Unspecified Local Options," Project No. 4-40-05-0150-84-921-84-35, Index Code - CDULO - 220806.

Also,

No. 1131 Resolution providing for an Agreement or Agreements with the Hill District Project Area Committee for the continuation of administrative support in conducting a neighborhood revitalization program in the Hill District, at a cost not to exceed $35,000.00 chargeable to and payable from the 1984 Community Development Block Grant Program, Unspecified Local Option (CC-84-01), Project No. 4-40-05-2009-83-928-84-35, Index Code - CDULO - 220806.

Also,

No. 1132 Resolution providing for an Agreement or Agreements with the Centre Avenue YMCA, located at 2621 Centre Avenue, Hill District, and the Urban Redevelopment Authority of Pgh., for the renovation of the building located at 2621 Centre Avenue, Hill District, for use as a community center, at a cost not to exceed $150,000.00 chargeable to and payable from the 1984 Community Development Block Grant Program, "Unspecified Local Option", Project No. 4-40-05-0150-84-917-84-35, Index Code - CDULO - 220806.

Also,

No. 1133 Resolution providing for an Agreement or Agreements with the Light of Live Rescue Mission, Inc., a non-profit organization providing services to homeless and needy people, to pay for administrative costs at facilities which provide meals and homes to low income residents of the City of Pittsburgh, at a cost not to exceed $33,500.00 chargeable to and payable from the 1984 Community Development Block Grant Program, "Unspecified Local Option" Project No. 4-40-05-0335-84-924-84-35, Index Code - CDULO - 220806.

Also,

No. 1134 Resolution providing for an Agreement or Agreements with a consultant or consultants to conduct a feasibility study of elderly housing development in the Mt. Washington neighborhood, at a cost not to exceed $40,000.00 chargeable to and payable from the 1984 Community Development Block Grant Program, Unspecified Local Option, (CC-84-01), Project No. 4-40-05-0400-84-913-84-35, Index Code - CDULO - 220806.

Also,

No. 1135 Resolution providing for an Agreement or Agreements with Bidwell, Inc., for the administration of a job training and employment program for low/moderate income persons, at a cost not to exceed $60,000.00 chargeable to and payable from the 1984 Community Development Block Grant Program, "Unspecified Local Options", Project No. 4-40-05-0060-84-920-84-35, Index Code - CDULO - 220806.

Also,

No. 1136 Resolution providing for

an Agreement or Agreements with the Program for Female Offenders, Inc., a non-profit organization which operates a work-release residential alternative to the County prison, for the reimbursement of costs associated with the purchase of a van for the transportation of low/moderate income persons to employment sites, at a cost not to exceed $11,500.00 chargeable to and payable from the 1984 Community Development Block Grant Program, "Unspecified Local Optoin", Project No. 4-40-05-1115-84-919-84-35, Index Code - CDULO - 220806.

Also,

No. 1137 Resolution providing for an Agreement or Agreements with the Hazelwood/Glenwood/Glen Hazel Council, Inc., located at 4910 Second Avenue, Hazelwood, a non-profit community-based social service agency serving low-income persons in the Greater Hazelwood area and the Urban Redevelopment Authority of Pgh., for the rehabilitation of a vacant public building located on Second Avenue, Hazelwood, for use as a neighborhood council office building and community facility, at a cost not to exceed $100,000.00 chargeable to and payable from the 1984 Community Development Block Grant "Unspecified Local Option", Project No. 4-40-05-0100-84-918-84-35, Index Code - CDULO - 220806.

Also,

No. 1138 Resolution providing for an Agreement or Agreements with the Allegheny County Chapter of the Association for Retarded Citizens, a non-profit corporation, whose primary function is to promote the welfare of the retarded, and the Urban Redevelopment Authority of Pgh., for the renovation of its headquarters/training center located at 1001 Brighton Road in the City's North Side, to make the building structurally and mechanically safe and accessible to the handicapped, at a cost not to exceed $53,000.00 chargeable to and payable from the 1984 Community Development Block Grant Program, "Unspecified Local Option", Project No. 4-40-05-0530-84-916-84-35, Index Code - CDULO - 220806.

Also,

No. 1139 Resolution providing for an Agreement or Agreements with the Hazelwood YWCA, located at 4944 Second Avenue in Hazelwood, and the Urban Redevelopment Authority of Pgh., for the rehabilitation of the community services building, located at 4944 Second Avenue in Hazelwood, at a cost not to exceed $26,500.00 chargeable to and payable from the 1984 Community Development Block Grant Program, "Unspecified Local Option", Project No. 4-40-05-0265-84-915-84-35, Index Code - CDULO - 220806.

Also,

No. 1140 Resolution providing for an Agreement or Agreements with the Oakland Planning and Development Corporation, Inc., for the City's share of funding for the continued involvement and execution of revitalization programs and projects in the Oakland Community, at a cost not to exceed $50,000.00 chargeable to and payable from the 1984 Community Development Block Grant Program, "Unspecified Local Options", Project No. 4-40-05-0055-84-927-84-35, Index Code - CDULO - 220806.

Also,

No. 1141 Resolution providing for an Agreement or Agreements with the Pittsburgh Hearing, Speech, and Deaf Services, Inc. of 1344 Fifth Avenue, and the Urban Redevelopment Authority of

Pgh., for the City's share in the rehabilitation of a building to assure permanent housing for the operations of the Agency, at a cost not to exceed $250,000.00 chargeable to and payable from the 1984 Community Development Block Grant Program, Unspecified Local Options, (CC-84-01), Project No. 4-40-05-0250-84-914-84-35, Index Code - CDULO - 220806.

Also,

No. 1142 Resolution providing for a Agreement or Agreements with Pittsburgh Action Against Rape for professional services in connection with their counseling program for victims of sexual abuse, at a cost not to exceed $50,000.00 chargeable to and payable from the 1984 Community Development Block Grant Program, "Unspecified Local Options", Project No. 4-40-05-0500-84-922-84-35, Index Code - CDULO - 220806.

Also,

No. 1143 Resolution providing for a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh for the summer clean-up program in Housing Authority communities employing residents of the Housing Authority areas for this purpose, at a cost not to exceed $100,000.00 chargeable to and payable from the 1984 Community Development Block Grant Program, Unspecified Local Option, (CC-84-01), Project No. 4-40-05-0100-84-912-84-35, Index Code - CDULO - 220806.

Also,

No. 1144 Resolution providing for an Agreement or Agreements with Lawrenceville Citizens Corporation for a two-year period for the City's share of administrative costs to establish a local development corporation to pursue neighborhood revitalization activities, at a cost not to exceed $120,000.00 chargeable to and payable from the 1984 Community Development Block Grant Program, "Unspecified Local Option", Project No. 4-40-05-0120-84-911-84-35, Index Code - CDULO - 220806.

Also,

No. 1145 Resolution providing for an Agreement or Agreements with the Bloomfield-Garfield Development Corporation, to promote and implement the economic and physical redevelopment of the Penn Avenue retail/residential district in the Bloomfield-Garfield neighborhood; to follow through with implementing the activities recommended and approved by the City in the 1980 Bloomfield-Garfield market study; and to use the Bloomfield-Garfield Development Corporation as the coordinating agent for formulating and implementing the renewal plans recommended in the Bloomfield-Garfield market study, at a cost not to exceed $22,500.00 chargeable to and payable from the 1984 Community Development Block Grant Program, Unspecified Local Option, (CC-84-01), Project No. 4-40-05-6000-81-910-84-35, Index Code - CDULO - 220806.

Also,

No. 1146 Resolution providing for an Agreement or Agreements with the Pittsburgh Neighborhood Alliance for the implementation of the "Home Security Program", including Block Watch Organizations, and the installation of locks and smoke detectors in various Community Development Block Grant neighborhoods in the City, at a cost not to exceed $320,000.00.

Also,

No. 1147 Resolution providing for

an Agreement or Agreements with the Western Pennsylvania Conservancy for the Community Self-Help Beautification and Community Gardening Programs on highly visible vacant lots in Community Development Neighborhoods, at a cost not to exceed $45,000.00 chargeable to and payable from the 1984 Community Development Block Grant Program Trust Fund, "Unspecified Local Option", (CC-84-01), Project No. 4-40-05-3072-84-908-84-35, Index Code - CDULO - 220806.

Also,

No. 1148 Resolution providing for an Agreement or Agreements with the Ernest T. Williams Center, located at 101 Hazlett Street, and the Urban Redevelopment Authority of Pgh., for the rehabilitation of a facility to be used as a day care center for low/moderate income persons, at a cost not to exceed $52,000.00 chargeable to and payable from the 1984 Community Development Block Grant Program, "Unspecified Local Option", (CC-84-01), Project No. 4-40-05-0052-84-907-84-35, Index Code - CDULO - 220806.

Also,

No. 1149 Resolution providing for an Agreement or Agreements with the Vintage Center, Inc. of East Liberty, and the Urban Redevelopment Authority of Pgh., for the installation of a new elevator in their senior citizen center located at 401 N. Highland Avenue, at a cost not to exceed $40,000.00 chargeable to and payable from the 1984 Community Development Block Grant Program, "Unspecified Local Option", (CC-84-01), Project No. 4-40-05-0004-84-906-84-35, Index Code - CDULO - 220806.

Also,

No. 1150 Resolution amending Res. No. 1065, eff. Dec. 6, 1983, entitled: "Establishing conditions and requirements for the receipt, distribution, and management of Urban Development Action Grant funds received by the City of Pittsburgh" to read as follows: Establishing conditions and requirements for the receipt, distribution, and management of Urban Development Action Grant (UDAG)/Housing Development Action Grant (HODAG) funds received by the City of Pittsburgh. **—(SPONSORED BY MR. ROBINSON)**

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Wagner presented

No. 1151 Resolution providing for the issuance of a warrant in favor of Sonitrol Security Systems, in the amount of $2,569.00 in payment of the installation and phone line drop charges for a security system for the McKinley Park Supervisor's Office and Maintenance Garage, chargeable to and payable from Code Account LB 84-13, 4-13-95-2030-84, Index Code No. 352856, Renovations of Various Park Facilities.

Also,

No. 1152 Resolution providing for the issuance of a warrant in favor of Tedco Construction Corporation in the amount of $31,817.64 in payment for work performed on the No. 10 and No. 12

Fire Stations, and the No. 5 Police Station.

Also,

No. 1153 Resolution providing for the issuance of a warrant in favor of Sherry & O'Leary, Inc., in the amount of $9,532.00 in payment for extra work being in addition to the original contract price of $139,200.00, on Controller's Contract Nos. 26770 & 26770-F, furnished for the benefit of the City in connection with the Renovation of Fowler Pool and Playground, chargeable to and payable from Code Account No. CDPR 83-05, 4-13-62-1360-83-232-83-13, Index Code 433151, Fowler, Design and Construction of Pool Facilities.

Also,

No. 1154 Resolution providing for the issuance of a warrant in favor of Allegheny Insulation Company, Inc. (J. Albert Eastland, Vice President) in the amount of $5,640.00 in payment for an Emergency Contract for the removal of asbestos material existing with the West End Police/Fire EMS Facility location at South Main Street, payable from Code Account LB 84-10, 4-13-95-0001-84, Index Code 352757, Renovation of Public Buildings.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1155 Resolution amending Res. No. 933, appr. 9/24/81, eff. 10/1/81, entitled: "Providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services with Wall and Arch Repair at Filtration Plant, at a cost not to exceed $36,000.00.

Also,

No. 1156 Resolution providing for an Agreement or Agreements with Ackenheil and Associates, Geo Systems, Inc. (Dr. Alfred C. Ackenheil, President), for Geotechnical Soil Engineering Services at various sites, including but not limited to Norte Way, Kilbuck Road (Riverview Park), Marietta Street, Springarden Ballfield and Stanton Avenue Distressed Slope (Highland Park), at a cost not to exceed $37,000.00 chargeable to and payable from Code Account No. PW 84-46, 4-13-35-0003-84, Index Code 307751, Geo-Technical Engineering Contracts.

Also,

No. 1157 Resolution providing for an Agreement or Agreements with M.R.M. Engineers, P.C. (M.R. Mikkilineni, owner) for Construction Inspection Services on an as-needed basis, at a cost not to exceed $40,000.00 chargeable to and payable from the Grant Street Trust Fund.

Also,

No. 1158 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the Reconstruction of Phipps Conservatory - Phase II, at a cost not to exceed $789,288.00 chargeable to and payable from Code Account PR 84-01, 4-13-60-1280-84, Index Code 322651, Phipps Conservatory - Rehabilitation of Structure.

Also,

No. 1159 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the Rehabilitation of the Burgwin Pool Basin and Filter, at a cost not to exceed $455,000.00.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Woods presented

No. 1160 Resolution authorizing the issuance of a warrant in favor of U.S. Department of Labor in the amount of $32,785.48 to return the CETA Program cash surplus and program income.

Also,

No. 1161 Resolution authorizing the Mayor to issue and the City Controller to countersign a duplicate warrant to the Hilltop YMCA in the amount of $1,548.36 to replace the warrant which was lost, stolen or inadvertently destroyed.

Also,

No. 1162 Resolution transferring $1,300,000.00 from the Unrestricted Cash Account, Bond Fund, Department of Engineering and Construction to the Unrestricted Cash Account, Bond Fund, Department of Public Works.

Also,

No. 1163 Resolution transferring $62,000.00 from Code Account No. 44, Index Code 004408, Worker's Compensation, Department of Finance to various Code Accounts within the Department of Finance.

Also,

No. 1164 Resolution providing for a Contract or Contracts or use of existing Contracts for the furnishing, delivery, and installation of camera surveillance, hold-up and vault burglary alarm systems, and metal undercounter teller equipment, and teller chairs for the Cashier Office, Dept. of Finance; and a Contract or Contracts or use of existing Contracts for the furnishing, delivery, and installation of various workstations and files for various offices, Dept. of Finance.

Also,

No. 1165 Resolution providing for a Contract or Contracts for professional services with Price Waterhouse & Company for the formulation of recommended street lighting policies for the City of Pittsburgh and also to evaluate alternative approaches to street lighting system maintenance, at a cost not to exceed $27,000.00 chargeable to and payable from Code Account 1063, Misc. Services, Dept. of Finance.

Also,

No. 1166 Communication from Mayor Caliguiri, requesting permission for George Whitmer to attend a Pennsylvania League of Cities Committee meeting, Harrisburg, PA, July 30, 1984, at a cost not to exceed $300.00 payable from Code Account 1017, Misc. Services, Index Code 101709, Mayor's Office.

Also,

No. 1167 Communication from Ronald Schmeiser, Director, Dept. of Finance, requesting permission for Jeffrey T. Leber to attend a training workshop on Planning and Maintenance, Baltimore, MD, August 23 and 24, 1984, at a cost not to exceed $550.00 payable from Code Account 1063, Misc. Services, Index Code 106302, Dept. of Finance.

Also,

No. 1168 Communication from Linda Johnson, Asst. City Clerk, requesting permission for Albert J. D'Alessandro, Asst. Capital Budget

Controller, to attend a training workshop, Capital Facilities: Planning and Maintenance, to be held in Baltimore, Maryland, on August 23 and 24, 1984, at a cost not to exceed $550.00 chargeable to and payable from Code Account 1001-1, Misc. Services, Supplies, Equipment, etc., Index Code 100101.

Also,

No. 1169 Communication from John Gabriel, Director, Commission on Human Relations, requesting permission for Donna DiLeonardo to attend the Pennsylvania Human Relations Commission Training Session, Harrisburg, PA, August 13-18, 1984, at a cost not to exceed $525.00 payable from HUD-FHP Trust Fund.
(HUD-FHP - HUD-Fair Housing Program)

Also,

No. 1170 Communication from Norbert C. McDermott, Jr., Comptroller, Allegheny County Sanitary Authority, submitting a list of personnel as of June 30, 1984.

Also,

No. 1171 Communication from Thomas E. Flaherty, City Controller, submitting the Comprehensive Annual Financial Report year ended December 31, 1983.

Which were severally read and referred to the Committee on Finance.

UNFINISHED BUSINESS

Michelle Madoff:

I have to apologize; I'm a little confused. Are we voting on these? Point of information?

The Chair:

They are now being presented and I would expect a motion from this body to hold for two weeks so that they may come to Council.

Michelle Madoff:

You didn't hear my question. You answered a question I didn't ask.

The Chair:

We will not be voting on them today.

Michelle Madoff:

That's not my question. My question is, are these the ones the Mayor has the right to appoint without second of Council or are these ones that will have to come up before Council?

The Chair:

When she finishes, we'll draw the line on those we will vote on and those we will not vote on.

The Chair presents

No. 1180 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, re-appointing Mr. Kellon McClendon of 5624 Fifth Avenue, Pittsburgh, PA 15232 as member of the Minority Business Enterprise Review Committee for a term to expire April, 1986.

Which was read, received and filed.

Also,

No. 1181 Resolution re-appointing Mr. Kellon McClendon of 5624 Fifth Avenue, Pittsburgh, PA 15232 as member of the Minority Business

Enterprise Review Committee for a term to expire April, 1986.

Which was read.

Also,

No. 1182 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, re-appointing Mr. Reginald Young of 925 Wellesley Road, Pittsburgh, PA 15206, as member to the Minority Business Enterprise Review Committee.

Which was read, received and filed.

Also,

No. 1183 Resolution re-appointing Mr. Reginald Young of 925 Wellesley Road, Pittsburgh, PA 15206, as member to the Minority Business Enterprise Review Committee.

Which was read.

Also,

No. 1184 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, re-appointing Ms. Elizabeth Pickett of 519 Heldman Street, Pittsburgh, PA 15219, as member to the Minority Business Enterprise Review Committee for a term to expire April, 1986.

Which was read, received and filed.

Also,

No. 1185 Resolution re-appointing Ms. Elizabeth Pickett of 519 Heldman Street, Pittsburgh, PA 15219, as member to the Minority Business Enterprise Review Committee for a term to expire April, 1986.

Which was read.

Also,

No. 1186 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, re-appointing Mr. John Gabriel of 149 Hornaday Road, Pittsburgh, PA 15210, as member to the Minority Business Enterprise Review Committee for a term to expire April, 1986.

Which was read, received and filed.

Also,

No. 1187 Resolution re-appointing Mr. John Gabriel of 149 Hornaday Road, Pittsburgh, PA 15210, as member to the Minority Business Enterprise Review Committee for a term to expire April, 1986.

Which was read.

Also,

No. 1188 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, re-appointing Mr. George McComb of 1160 Stanton Terrace Avenue, Pittsburgh, PA 15201, as a member of the Parking Authority for a term to expire December, 1988.

Which was read, received and filed.

Also,

No. 1189 Resolution re-appointing Mr. George McComb of 1160 Stanton Terrace Avenue, Pittsburgh, PA 15201, as a member of the Parking Authority for a term to expire December, 1988.

Which was read.

Also,

No. 1190 Communication from

Richard S. Caliguiri, Mayor, City of Pittsburgh, re-appointing Mr. John Petrolias of 634 Smithfield Street, Pittsburgh, PA 15222, as member to the Parking Authority for a term to expire December, 1988.

Which was read, received and filed.

Also,

No. 1191 Resolution re-appointing Mr. John Petrolias of 634 Smithfield Street, Pittsburgh, PA 15222, as member to the Parking Authority for a term to expire December, 1988.

Which was read.

Also,

No. 1192 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, re-appointing Ms. Dorthea Mason of 932 Clarissa Street, Pittsburgh, PA 15219, as member to the Human Relations Commission for a term to expire March, 1988.

Which was read, received and filed.

Also,

No. 1193 Resolution re-appointing Ms. Dorthea Mason of 932 Clarissa Street, Pittsburgh, PA 15219, as member to the Human Relations Commission for a term to expire March, 1988.

Which was read.

Also,

No. 1194 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, re-appointing Mr. William Gallagher of 1501 Welfer Street, Pittsburgh, PA 15207, as member of the Human Relations Commission for a term to expire March, 1988.

Which was read, received and filed.

Also,

No. 1195 Resolution re-appointing Mr. William Gallagher of 1501 Welfer Street, Pittsburgh, PA 15207, as member of the Human Relations Commission for a term to expire March, 1988.

Which was read.

Also,

No. 1196 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, re-appointing Ms. Constance Wellons of 120 Climax Avenue, Pittsburgh, PA 15210, as member of the Human Relations Commission, for a term to expire March, 1988.

Which was read, received and filed.

Also,

No. 1197 Resolution re-appointing Ms. Constance Wellons of 120 Climax Avenue, Pittsburgh, PA 15210, as member of the Human Relations Commission, for a term to expire March, 1988.

Which was read.

Also,

No. 1198 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, re-appointing Mr. George Jacoby of 2388 Crestview Road, Pittsburgh, PA 15216, as a member of the Leasing Authority for a term to expire January, 1989.

Which was read, received and filed.

Also,

No. 1199 Resolution re-appointing Mr. George Jacoby of 2388 Crestview Road, Pittsburgh, PA 15216, as a member of the Leasing Authority for a term to expire January, 1989.

Which was read.

Also,

No. 1200 Communication from Mayor Richard S. Caliguiri, City of Pittsburgh, appointing Mr. Charles Rhodes of 10 Allegheny Center, Apartment 890, Pittsburgh, PA 15212, as a member of the Minority Business Enterprise Review Committee, for a term to expire April, 1986.

Which was read, received and filed.

Also,

No. 1201 Resolution appointing Mr. Charles Rhodes of 10 Allegheny Center, Apartment 890, Pittsburgh, PA 15212, as a member of the Minority Business Enterprise Review Committee, for a term to expire April, 1986.

Which was read.

Also,

No. 1202 Communication from Mayor Richard S. Caliguiri, City of Pittsburgh, appointing Ms. Margaret Ringel Baker of 37 Grandview Avenue, Pittsburgh, PA 15211, as member to the Minority Business Enterprise Review Committee, for a term to expire April, 1986.

Which was read, received and filed.

Also,

No. 1203 Resolution appointing Ms. Margaret Ringel Baker of 37 Grandview Avenue, Pittsburgh, PA 15211, as member to the Minority Business Enterprise Review Committee, for a term to expire April, 1986.

Which was read.

Also,

No. 1204 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, appointing Mr. David Hamberg of 5135 Fifth Avenue, Pittsburgh, PA 15232, as member of the Art Commission for a term to expire January, 1986.

Which was read, received and filed.

Also,

No. 1205 Resolution appointing Mr. David Hamberg of 5135 Fifth Avenue, Pittsburgh, PA 15232, as member of the Art Commission for a term to expire January, 1986.

Which was read.

Also,

No. 1206 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, appointing Mr. Michael Gardner of 949 Greenfield Avenue, Pittsburgh, PA 15217, as member of the Housing Authority, for a term to expire June, 1989.

Which was read, received and filed.

Also,

No. 1207 Resolution appointing Mr. Michael Gardner of 949 Greenfield Avenue, Pittsburgh, PA 15217, as member of the Housing Authority, for a term to expire June, 1989.

Which was read.

Also,

No. 1208 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, appointing Ms. Stefani Ledewitz of 5132 Friendship Avenue, Pittsburgh, PA 15224, as member to the City Planning Commission, for a term to expire January, 1990.

Which was read, received and filed.

Also,

No. 1209 Resolution appointing Ms. Stefani Ledewitz of 5132 Friendship Avenue, Pittsburgh, PA 15224, as member to the City Planning Commission, for a term to expire January, 1990.

Which was read.

Also,

No. 1210 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, appointing Mr. Stanley Lowe of 151 Riverview Avenue, Pittsburgh, PA 15214, as member of the Board of Code Review for a term to expire December, 1987.

Which was read, received and filed.

Also,

No. 1211 Resolution appointing Mr. Stanley Lowe of 151 Riverview Avenue, Pittsburgh, PA 15214, as member of the Board of Code Review for a term to expire December, 1987.

Which was read.

Also,

No. 1212 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, appointing Mr. Robert Mistick of 1428 Pennsylvania Avenue, Pittsburgh, PA 15233, as member to the Board of Code Review, for a term to expire December, 1987.

Which was read, received and filed.

Also,

No. 1213 Resolution appointing Mr. Robert Mistick of 1428 Pennsylvania Avenue, Pittsburgh, PA 15233, as member to the Board of Code Review, for a term to expire December, 1987.

Which was read.

Also,

No. 1214 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, re-appointing Mr. Thomas Armstrong of 1306 Sherman Avenue, Pittsburgh, PA 15212, as member of the City Planning Commission for a term to expire January, 1990.

Which was read, received and filed.

Also,

No. 1215 Resolution re-appointing Mr. Thomas Armstrong of 1306 Sherman Avenue, Pittsburgh, PA 15212, as member of the City Planning Commission for a term to expire January, 1990.

Which was read.

Also,

No. 1216 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, re-appointing Mr. Willie McClung of 105 Broadcast Drive, Pittsburgh, PA 15235, as member of the City Planning Commission for a term to

expire January, 1990.

Which was read, received and filed.

Also,

No. 1217 Resolution re-appointing Mr. Willie McClung of 105 Broadcast Drive, Pittsburgh, PA 15235, as member of the City Planning Commission for a term to expire January, 1990.

Which was read.

Also,

No. 1218 Communication from Mayor Richard S. Caliguiri, City of Pittsburgh, appointing Ms. Rebecca Lee of 930 North Lincoln Avenue, Pittsburgh, PA 15233, as member to the Minority Business Enterprise Review Committee, for a term to expire April, 1986.

Which was read, received and filed.

Also,

No. 1219 Resolution appointing Ms. Rebecca Lee of 930 North Lincoln Avenue, Pittsburgh, PA 15233, as member to the Minority Business Enterprise Review Committee, for a term to expire April, 1986.

Which was read.

Also,

No. 1220 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, appointing Ms. Carrie Washington of 7145 Hermitage Street, Pittsburgh, PA 15208, as member to the Sinking Fund Commission, for a term to expire March, 1989.

Which was read, received and filed.

Also,

No. 1221 Resolution appointing Ms. Carrie Washington of 7145 Hermitage Street, Pittsburgh, PA 15208, as member to the Sinking Fund Commission, for a term to expire March, 1989.

Which was read.

Also,

No. 1222 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, appointing Ms. Doris Carson Williams of 1431 Pennsylvania Avenue, Pittsburgh, PA 15222, as member of the Sinking Fund Commission for a term to expire March, 1989.

Which was read, received and filed.

Also,

No. 1223 Resolution appointing Ms. Doris Carson Williams of 1431 Pennsylvania Avenue, Pittsburgh, PA 15222, as member of the Sinking Fund Commission for a term to expire March, 1989.

Which was read.

Also,

No. 1224 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, appointing Mr. James Burwell of 839 Eldora Place, Pittsburgh, PA 15210, as member to the Board of Code Review, for a term to expire December, 1987.

Which was read, received and filed.

Also,

No. 1225 Resolution appointing Mr. James Burwell of 839 Eldora Place,

Pittsburgh, PA 15210, as member to the Board of Code Review, for a term to expire December, 1987.

Which was read.

Also,

No. 1226 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, appointing Mr. Thomas M. Schmidt of 1060 Highland Road, Pittsburgh, PA 15232, as member of the Historic Review Commission for a term to expire December, 1987.

Which was read, received and filed.

Also,

No. 1227 Resolution appointing Mr. Thomas M. Schmidt of 1060 Highland Road, Pittsburgh, PA 15232, as member of the Historic Review Commission for a term to expire December, 1987.

Which was read.

Also,

No. 1228 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, appointing Mr. Garland McAdoo of 2840 Shady Avenue, Pittsburgh, PA 15217, as member of the Zoological Park Commission for a term to expire October, 1986.

Which was read, received and filed.

Also,

No. 1229 Resolution appointing Mr. Garland McAdoo of 2840 Shady Avenue, Pittsburgh, PA 15217, as member of the Zoological Park Commission for a term to expire October, 1986.

Which was read.

Also,

No. 1230 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, appointing Ms. Mina Gerall of 931 St. James Street, Pittsburgh, PA 15232, as member of the Art Commission, for a term to expire January, 1986.

Which was read, received and filed.

Also,

No. 1231 Resolution appointing Ms. Mina Gerall of 931 St. James Street, Pittsburgh, PA 15232, as member of the Art Commission, for a term to expire January, 1986.

Which was read.

Also,

No. 1232 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, re-appointing Mr. John Mullen of 363 S. Highland Avenue, Pittsburgh, PA 15206, as member of the Board of Standards and Appeals for a term to expire June, 1988.

Which was read, received and filed.

Also,

No. 1233 Resolution re-appointing Mr. John Mullen of 363 S. Highland Avenue, Pittsburgh, PA 15206, as member of the Board of Standards and Appeals for a term to expire June, 1988.

Which was read.

Mr. Robinson:

On those appointments that the Mayor is making to the Minority Business Enterprise Review Committee, if the Assistant City Clerk would send to all

the persons that have been designated in the Mayor's legislation a copy of Title 1 of the Pittsburgh Code, specifically Chapter 161.18 and 161.19. Those chapters of the Code specifically speak to the creation of the Minority Business Enterprise Review Committee and its responsibilities. It may be helpful to those people who the Mayor suggested for appointment to be familiar with those sections of the City Code and to get some initial understanding of what their responsibilities would be. Thank you.

The Chair:

If I may, I'll entertain a motion to bring these people up next week. If some can be here tomorrow, okay, but I doubt it. Then what we might do is have a recess Wednesday, next Wednesday's meeting, right before the final meeting on the following Monday. In case we miss anybody we can catch them then.

Mr. Grabowski:

So moved.

Mr. Wagner seconded the motion.

Which motion prevailed.

Michelle Madoff:

I abstain on all votes for all Commissions and Boards since I have never been appointed to one which, I believe, is in violation of the City Code and I'll look into that in the Fall.

REPORTS OF COMMITTEES

Mr. Wagner moved to suspend Rule 8 for all Committees providing for the mailing of printed copies of all ordinances and resolutions to each member of Council at least 48 hours previous to their consideration by Council after the return of such papers from Committee.

Mr. Robinson seconded the motion.

Which motion prevailed.

Michelle Madoff:

Are you wiping out the resolution by Mr. Grabowski, the 48 hours, or is that on specific bills?

The Chair:

This is that notice of sending it out, Michelle. Every time we have a short week like now it's generally done.

Michelle Madoff:

Oh, you mean the ones when Mike's staff doesn't do its job and it doesn't get out in time?

The Chair:

I don't agree with that but that's beside the point.

Michelle Madoff:

I think that's a matter of fact and Mike agrees with it.

Mrs. Johnson:

Mike's staff does do their jobs and I can verify it.

Michelle Madoff:

Some of them do and some of them don't.

Mr. Woods presented

Bill No. 1172

Report of the Committee on Finance for

July 25, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1033

A Resolution entitled, "Resolution providing for the transfer of funds in the amount of $190,000.00 from Code Account 1132-7, Index Code 113274, Utilities, to Code Account 1150, 115006, Outside Repairs."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1039

A Resolution entitled, "Resolution providing for the issuance of a warrant to Alvin Scott, 5565 Wellesley Avenue, Apt. 2, Pittsburgh, Pennsylvania 15206, in the amount of Four Hundred Eighty-three ($483.00) Dollars, for refund of the excess auction proceeds over the accumulated towing and storage charges."

Which was read.

Also,

Bill No. 1040

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the International Business Machines Corporation, P.O. Box 3025, Pittsburgh, Pennsylvania 15230, in the amount of 41,866.00, in payment for rental of equipment furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1052

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Tri-River Building Products Company in the amount of $336.66 in payment for the purchase of Formica Counters used in connection with the Treasurer's Office Renovations; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1055

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1069

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Sargent Electric Company in the amount of $2,647.90 for emergency repairs to electrical system at the Aviary, without previous authority of law."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Mr. Givens presented

Bill No. 1173

Report of the Committee on Public Works for July 25, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1030

A Resolution entitled, "Resolution Repealing Resolution No. 973, approved September 25, 1980, effective September 29, 1980, entitled, A Resolution granting unto Bank Center Limited, Suite 301, 307 Fourth Avenue, Pittsburgh, Pennsylvania 15222, its successors or assigns, the privilege and license to construct, maintain and use, at its own cost and expense a Marquee, with illuminated identification and traveling message board to be erected over an entrance to its building. The Bank Center, 416 Wood Street, Pittsburgh, Pennsylvania, to project over the easterly sidewalk area, a distance of 11 feet 3 inches, face of Marquee to have a set back from face of existing curb of 1 foot and have a width of 15 feet with a minimum height of 10 feet 6 inches above the existing curb line."

Which was read.

Also,

Bill No. 1031

A Resolution entitled, "Resolution amending Resolution No. 1177, approved December 19, 1983, effective December 31, 1983, entitled, 'A Resolution vacating Bland (Blanche) Street from Geyer Avenue to a 20 foot Unnamed Way (108.9± easterly) in the 27th Ward of the City of Pittsburgh.'"

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

Bill No. 1174

Report of the Committee on Planning, Housing and Development for July 25, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1043

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and John J. and Pauline DeFazio for the sale of Block 4-L Lot 192 in the Nineteenth Ward of the City of Pittsburgh (SIDEYARD)."

Which was read.

Also,

Bill No. 1044

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Matthew C. Bousquette

for the sale of Block 23-E Lot 66 in the Twenty-Fifth Ward of the City of Pittsburgh (GARDEN)."

Which was read.

Also,

Bill No. 1045

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Matthew C. Bousquette for the sale of Block 23-E Lots 67, 69, and 70 in the Twenty-Fifth Ward of the City of Pittsburgh (GARDEN)."

Which was read.

Also,

Bill No. 1046

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and James J. Frasca and Patricia A. Farwig for the sale of Parcel 213 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27 (RESALE FOR REHABILITATION)."

Which was read.

Also,

Bill No. 1047

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Pilgram Baptist Church for the sale of Parcel 294 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27 (PARKING)."

Which was read.

Also,

Bill No. 1048

A Resolution entitled, "Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of various properties in the City of Pittsburgh (URBAN HOMESTEADING REHAB)."

Which was read.

Also,

Bill No. 1049

A Resolution entitled, "Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of various properties in the City of Pittsburgh for $1.00 per lot as per the Property Management and Maintenance Program (PMMP SIDEYARD SALE)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

Bill No. 1175

Report of the Committee on Parks and Recreation for July 25, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1037

A Resolution entitled, "Resolution providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania, Department of Community Affairs, for a grant in connection with the Renovation of Mary Schenley Fountain providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Renovation, providing for required assurances; providing for the execution of payment vouchers on Letter of Credit; providing for the certification of authorized signatures; and for the deposit of funds into Unrestricted Cash." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 1176

Report of the Committee on Engineering and Construction for July 25, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1053

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the Fall Street Tree Planting Program at various Community Development locations within the City of Pittsburgh; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Robinson:

If I might, Mr. President and members of Council, on July 27, 1984 I forwarded to each member of Council a memorandum relative to the Housing Development Opportunity Grant Program and the 1984 Tax Reform Act. I'd just like to comment on that memo inasmuch as Council will be considering six housing opportunity grant proposals tomorrow. The Urban Redevelopment Authority of Pittsburgh and the City of Pittsburgh will be applying for funding through the federal government for these housing opportunity development action grant proposals. I think that it's important for us to be cognizant of the ramifications of the 1984 Tax Reform Act, better known as the 1984 Deficit Reduction Act. The reason I say that is that the tax act itself contains many provisions unfavorable to cities, chief among these the restriction on industrial development bonds which cities have used to finance a wide range of development and infrastructure projects and a restrictions on sale lease back arrangements that may be made by state and local governments and the new restrictions on state and local leasing of equipment.

The details of the bill, the tax bill, as implications for cities are contained in a federal city reporter sent to all mayors July 3rd by the U.S. Conference of Mayors. For Council's information and perusal I have secured several analysis of the Tax Reform Act of 1984 and it's potential impact on our City. That information will be made available to those members of Council who are interested.

In a related matter, Council will be considering tomorrow along with the HODAG Program Council Bills 134, 135 and 136 which we held from last week that are in the Committee on General Services and speak very specifically to the purchasing of equipment in the City of Pittsburgh. The Tax Reform Act of 1984 very specifically speaks to the issue of leasing equipment; the Director of our General Services Department, Mr. Jacoby, is also the Chairman of our Equipment Leasing Authority. I think again we need to have some more information relative to the impact of the Tax Reform Act on the operation of our General Services Department and our Equipment Leasing Authority.

I've taken the liberty to ask Mr. Jacoby to have the bond counsel for the Equipment Leasing Authority and their general counsel here tomorrow and also to provide this Council with any written analysis that the Equipment Leasing Authority might have that will analyze the impact that this Tax Reform Act of 1984 on the operations of the City of Pittsburgh.

As far as the HODAGs are concerned, I've also asked that the bond counsel for the Urban Redevelopment Authority be present to answer any questions that we may have relative to the impact of that Tax Reform Act, not only on the HODAGs but also on any potential bonds that the City of Pittsburgh might authorized the Urban Redevelopment Authority to issue.

There is a Council bill that will be in Council tomorrow, I believe it's Council Bill 1116, that does give authorization to the Urban Redevelopment Authority to issue some $30 million to mortgage revenue bonds. The Tax Reform Act of 1984 does speak to this issue of mortgage revenue bonds and I think it would be to our advantage to have some information, some analysis prior to making any decision in that regard.

I would hope that all members of Council would take serious the Tax Reform Act of 1984 and its implication on our City. Also, there is a Tax Reform Act of 1983 which most of the experts in the field have yet to understand and completely analyze. On the heals of that comes the 1984 Tax Reform Act which I believe was signed this past week by the President and is now law. I would hope that we would address that.

One other comment relative to this Tax Reform Act issue. I've also forwarded to every member of Council a proposed amendment to the HODAG program. That amendment speaks specifically to the issue of how we should authorize the URA to secure a bond counsel, underwriters and underwriters counsel for the HODAG program. I would hope that members of Council would peruse this amendment very carefully before tomorrow because I think it does speak to the issue of making sure that the implications of the Tax Reform Act of 1984 are properly analyzed and that we are in the most competitive position that we can be; also, that we make every effort to try to find the most qualified people to do the job and thirdly that we give an opportunity to some minorities and women to be involved in our bond program in the City. That has never occured' in the City to open up opportunities for minorities and women.

So, I think that three things can be achieved. First and foremost is to make sure that whoever is negotiating our bond deals on these HODAG programs and other bond issues through URA is indeed the most qualified to perform those services. I would suggest that prior to any authorization for the issuance of any bonds that we very carefully analyze the impact of the 1984 Tax Reform Act and very carefully study what process and procedures we'd like to utilize to secure bond counsel, underwriters, and underwriters counsel.

My suggested amendment in no way is a reflection on anyone who has given past service to the City of Pittsburgh or present service to the City of Pittsburgh but simply an attempt to make sure that in the futre we have the most qualified persons and that we have adequate information before us prior to making a decision about major bond issues.

Michelle Madoff:

Mr. Chairman, on the same subject. I would like to call upon Mr. Buckley and Mr. D'Alessandro and anybody in the Budget Office to ask them if they're equipped to give us commentary and to review the questions just raised by Mr. Robinson. Are you prepared to do that? Are you qualified to do that?

The Chair:

Michelle, I think that's grossly unfair.

Michelle Madoff:

Oh no, I think that's right to the point.

The Chair:

No, I don't.

Michelle Madoff:

I've been trying to get a fiscal analyst or a fiscal consultant who was voted down in this Council because we have adequate budget people. Can you do that gentlemen?

Mr. Grabowski:

Mr. President, it's not proper at this point for anyone to speak at this meeting other than Councilmembers. Let's keep that in mind.

Michelle Madoff:

We will never let the public know that we don't have that kind of input. The people who do their job do an enormously competent job in the area of their expertise but I've been trying to point out for six years that we don't have someone to do what Mr. Robinson has just asked for and Mr. Robinson has supported having a fiscal analyst or a consultant for this Council.

Once more, we will go to vote and we will have the Mayor's people, Mr. Katz out of Philadelphia who probably pays $30,000 a year, tell us what's good for us and we'll have Mr. Schmeiser the Fiscal Advisor telling us what we ought to do. We are not separate, there's a conflict of interest, there's no separation of powers and we're going to vote on the basis of whatever information we can dig out from some friends or personal contacts. We will not have a person here who is qualified to do just what Mr. Robinson gave a glaring example of our need to have our own fiscal input.

I think I made my point eminently clear for those who are watching the show. The people who should be doing it are not qualified to do it.

Mr. Wagner:

Mr. President and members of Council, I'd like to report into the Record on a recent trip that I took to Philadelphia on July 11, 1984 to the Urban Mass Transit Association, along with Mr. Bill Millar, Executive Director of PAT and Jim Barth and his assistant.

The purpose of the meeting was an attempt to solicit additional funds for the Light Rail Transit Project and the widening of Broadway Avenue in Beechview. This was the first step to be taken in the initiation of the attempt in getting funds for that project.

I'd also like to report that this past Friday, July 27th, the Port Authority Board of Directors passed a resolution supporting the attempt to get additional funds for the Light Rail Transit Project.

I wanted to report that into the Record because I feel it's very important being Chairman of the Engineering and Construction Committee and also this community being the only community, the only neighborhood in the City of Pittsburgh that the new Light Rail Transit System will pass through.

Michelle Madoff:

Mr. Chairman, there's a very serious problem going on in the City right now. I feel very disturbed that as head of a committee that has become a non-committee which is the Water Committee, it is adverse in that we have Richard Cosentino who is former head of the Water Department really not on top of what Mr. Smith is doing, Daryl Smith who is head of the Water Department, and of course we had Mr. Roddy as head

of the Water Authority and I have to learn from a snitch that there's a problem on Second Avenue and I look into it and sure enough when we bring all parties together, separately and apart, that indeed we have a crisis situation on the Second Avenue feeder line.

What happened is that the two feeder lines out of Highland Reservoir One and Two, part of the Highland One is shut down for repairs and the pressure built up in Highland Two where there are already leaks and made it so that we couldn't shut down Highland Two because that was replacing the water supply from Highland One, which is feeding into Second Avenue main feeder line.

That line supplies water to all of the South Hills, Eliott, West End, Mount Washington. There is a major leak at the Brady Street Bridge, about 200 yards. There are some great concerns that there may be other leaks. Everybody from Paul McDermott, Mr. Smith, anybody involved with that problem, are all crossing their fingers and praying that nothing else happens. They've put in three valves trying to divert the water flow so they can in an emergency bring water in from another direction.

For six years, certainly five, every year at budget hearing, whoever is head of the Water Department at that time and it was Mr. Miller originally and then Mr. Cosentino, as employees, again without fiscal help and advice for this Council, as employees of the Administration came to our Council and were questioned by me because I had met with the Department Heads, Supervisors of the Water Department who told me how dire these problems were and each time I asked for more money I was told we really don't need it. We're only two months behind, the lines are in pretty good shape, and what has happened now — It's just like having a car for ten years and you don't repair it, you can't repair it, it disintegrates. We are in a crisis situation. At any moment those lines can break. Mr. McDermott is going to be instituting a program immediately where we go down every twelve feet on the Second Avenue line and try to repair the junctions, the joints, hoping that may at least keep us going for another time. Had we been doing what we should have been doing all along and if that even meant raising taxes, instead of having the people representing those departments come to us and come to me as the Committeeperson saying we don't have a problem and it's nothing very serious, it's just a few little old breaks and we can manage that and we couldn't use any more money than we have. But suddenly we have a Water Authority, a bond was issued, it appeared, I believe in this morning's paper, asking for I believe $94 million, doesn't say what the interest rate will be on that, I've been trying during the day to get some information on that bond. It was planned obsolescence. It was done deliberately to get the monkey off the back of the Administration. It was done so that this Council would not have to vote for increasing water rates, and I think this Council had the guts and the fortitude to vote for increased water rates but not to vote for what we have now which is a Water Authority that's going to have to pay many many more dollars than would have been needed had we maintained the system all along. I pleaded with Mr. Stone one year as Finance Chairman for money and one year he gave me $50,000 but we needed $1 million.

I think it is a disgrace and I think it's politics at its worst level. I share with you that we are now in a crisis situation.

Mrs. Masloff moved to excuse Mr. Givens for absence from the meeting.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. Grabowski moved to approve the Minutes of Tuesday, July 10, 1984 and Monday, July 16, 1984.

Mrs. Masloff seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Grabowski**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, August 6, 1984 No. 32

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, August 6, 1984

PRESENT:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

ABSENT:

Mr. Givens
Michelle Madoff

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mrs. Masloff:

Mr. President, both of these resolutions deal with the National Amateur Athletic Union Junion Olympic Championship. One of them deals with girls 12 and under and the basketball competition held in Yakima, Washington. The other championship, and they're both champions, deals with girls 18 and under basketball competition which was held in Clovis, New Mexico.

I'll deal with the 12 and under girls first and will the following girls come and get their awards and then I'll read the resolution. Shannon Davis who was named Most Valuable Player of the tournament, and named to the All American Team; Maureen McConnell also named to the All American Team; Alisa Favero, Barbara Baldwin, Keshia Abraham, Lisa Darkey, Kim Kuhn, Deanna DiGiora, Rosanna Vivino, Roxanne Williams, Marla Yustak, and Linda McElhinny and of course Mr. Carl Kohlman.

Mrs. Masloff presents

Bill No. 1269 WHEREAS, the Ozanam Cultural Center, a facility of the Catholic Diocese of Pittsburgh, has for a number of years provided programs which develop character and foster social and cultural interaction among its associates; and

WHEREAS, the Center recently won the National Amateur Athletic Union (AAU) Junior Olympic championship in the 12 and under girls

basketball competition in Yakima, Washington; and

WHEREAS, the A.A.U. competition involves thousands of top U.S. children athletes, and is one of the most prestigious sporting events in the country; and

WHEREAS, the members of this team that have achieved this esteemed goal are: Shannon Davis, who was named Most Valuable Player of the tournament, and named to the All American Team; Maureen McConnell also named to the All American Team; Alisa Favero, Barbara Baldwin, Keshia Abraham, Lisa Darkey, Kim Kuhn, Deanna DiGiora, Rosanna Vivino, Roxanne Williams, Marla Yustak, and Linda McElhinny; and

NOW THEREFORE, BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City Council hereby extend sincere commendation to the Ozanam Cultural Center 12 and under girls basketball team, and their coaches, Dan Kail and Paul Seneca for their brilliant display of basketball skills in winning the National A.A.U. Junior Olympic championship and for bringing honor and prestige to the City of Pittsburgh.

BE IT FURTHER RESOLVED, that this Council congratulates the Center's Director Carl Kohlman and his staff for the support and inspiration they have given to these girls in helping them to achieve the honor of being called 'Champions."

Mrs. Masloff moved to adopt the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mrs. Masloff:

In addition, I'd like the following girls, Suzie McConnell, who was named Most Valuable Player of the tournament and named to the All American Team and Suzie has been my assistant all summer; Karen Hall, Chris O'Connor, and Stacey Williams, also named to the All American Team; Kia Saunders, Sally Sheerer, Joyce Beavers, Beth Shearer, Tonya Steals, Frederika Jeter, Jill Shildt, and JoAnn Beatty.

Mrs. Masloff presents

Bill No. 1270 WHEREAS, the Ozanam Cultural Center, a facility of the Catholic Diocese of Pittsburgh, has for a number of years provided programs which develop character and foster social and cultural interaction among its associates; and

WHEREAS, the Center recently won its second National Amateur Athletic Union (AAU) Junior Olympic championship in the 18 and under girls basketball competition in Clovis, New Mexico; and

WHEREAS, the A.A.U. competition involves thousands of top U.S. children athletes, and is one of the most prestigious sporting events in the country; and

WHEREAS, the members of this team that have achieved this esteemed goal are: Suzie McConnell, who was named Most Valuable Player of the tournament, and named to the All American Team; Karen Hall, Chris O'Connor, and Stacey Williams, also named to the All American Team; Kia Saunders, Sally Sheerer, Joyce Beavers, Beth Shearer, Tonya Steals, Frederika Jeter, Jill Shildt, and JoAnn Beatty; and

NOW THEREFORE, BE IT

RESOLVED, that the Mayor and the Members of Pittsburgh City Council hereby extend sincere commendation to the Ozanam Cultural Center 18 and under girls basketball team, and their coaches, Tom McConnell and Debbie Lewis for their brilliant display of basketball skills in winning the National A.A.U. Junior Olympic championship and for bringing honor and prestige to the City of Pittsburgh.

BE IT FURTHER RESOLVED, that this Council congratulates the Center's Director Carl Kohlman and his staff for their supportive efforts in helping to form the character necessary to make "Champions."

Mrs. Masloff moved to adopt the resolution.

Mr. Woods seconded the motion.

Which motion prevailed.

Mrs. Masloff:

Congratulations, girls.

The Chair:

Carl, would you like to say a few words?

Carl Kohlman:

I'd just like to thank City Council for honoring the girls. The girls are really deserving of this, not only in terms of the basketball skills that they have but in terms of their character and their attitude. I hate to see the older girls go; it's too bad we couldn't just keep them here but I think everybody who is on the team is going on to school and we wish them well in the future, both in basketball and in all the other endeavors in life.

The other thing that I'd like to point out is that there's still people who think in terms of the Ozanam summer league as a black program and that's not true. As you can see right up here there are black and white involved in our program. We judge by how good the ball players are, their attitudes and how they fit in with what we're trying to do.

Again, I'm appreciative to the girls who participate and really, winning two national championships in this kind of competition is like being the champion in the semi-finals in the NCAA basketball championship. We're really appreciative of it.

We also hope City Council will be appreciative of them when we come to ask for a little bit of money to help keep this going.

The Chair:

Since it's not too often that people become Most Valuable Players, can we at least let each Most Valuable Player say something if they care to.

Shannon Davis:

Thank you.

Suzie McConnell:

Thank you.

The Chair:

We want to commend all of you and I think there couldn't be a more opportune moment to give this presentation than when we're having the world Olympics in Los Angeles. I don't know if all of you are as gratified as I have been by this week; it's been utterly beautiful and I noticed that opening session when they showed the flags of all the nations but particularly when they

asked everyone to hold hands. I noticed the camera caught some of the people with tears in their eyes. I think it's about time more of us have some tears in our eyes but of unity of love rather than war. It's a wonderful thing and let athletics always bring us closer together. I commend all of you.

Mr. Grabowski for Mr. Givens presented

No. 1234 Resolution providing for the issuance of a warrant for $24,164.80, in favor of the Bob Miller Shoes, Inc., 952 Fifth Avenue, New Kensington, Pa., for the purchase of 440 pairs of work boots, chargeable to and payable from Code Account No. 1172, Supplies and Materials, Index Code No. 117200, Dept. of Environmental Services.

Which was read and referred to the Committee on Finance.

Mr. Grabowski:

The first bill I don't want to close off.

The Chair:

That's Mr. Givens' bill.

Mr. Grabowski:

It doesn't matter to me whose bill it is. I have problems with it.

The Chair:

I think we ought to bring it up, Steve, so we can decide one way or the other what we're going to do with it. Next Monday is the last meeting.

Mr. Grabowski:

Alright, we can discuss it tomorrow. Let's suspend Rule 8 on all the bills and tomorrow if we have to table or take whatever action is necessary we'll do it then.

The Chair:

Thank you for your understanding.

Also,

No. 1235 Resolution granting unto Albert Miller, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a permanent awning over a portion of the sidewalk of 300 Knox Avenue in the 18th Ward of the City of Pittsburgh. This request is made by Mr. Miller because vandals have destroyed the canvas awning. Because of the nature of his business his windows must be shaded from the sun.

Also,

No. 1236 Resolution granting unto Sheetz, Inc., their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, three sidewalk vaults in a portion of the sidewalk of Oakland Avenue and Forbes Avenue in the 4th Ward of the City of Pittsburgh. This request is made by Sheetz, Inc., in conjunction with the remodeling plan, the existing vault will be used for operational equipment.

Also,

No. 1237 Resolution granting unto Corleone's Pizza, 1304 Fifth Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, loading doors in a portion of the sidewalk of 1304 Fifth Avenue in the 1st Ward of the City of Pittsburgh. Corleone's Pizza has made this request to enable them to receive the merchandise and deliveries without

interfering with the normal routine of business.

Also,

No. 1238 Resolution granting unto DeWayne Murray Sr. their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a building encroachment in a portion of the sidewalk at 5341 Second Avenue in the 15th Ward of the City of Pittsburgh. This request is made by DeWayne Murray Sr. for permission to encroach in the Second Avenue Right-Of-Way for the purpose of rebuilding and remodeling his store front.

Also,

No. 1239 Communication from Louis R. Gaetano, Director, Dept. of Public Works, requesting authorization for Lawrence Staab to attend the National Federation of Local Cable Programmers Conference concerning Local Government Utilization of Cable Communications in Denver, Colorado from July 19-21, 1984, at a cost not to exceed $980.00, payable from the Community Communications Trust Fund, (CC), Index Code 250555.

Which were severally read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 1240 Resolution providing for the issuance of a warrant in favor of Mario Noche, John Criss, and Salvator Chirico, in the amount of $600.00 for services rendered in conjunction with a design model built for Councilman Stephen Grabowski, chargeable to and payable from Code Account No. 1001-2, Salaries, Wages, and Services of Council, Index Code 100123). **—(SPONSORED BY MR. GRABOWSKI)**

Which was read and referred to the Committee on Finance.

Also,

No. 1241 Resolution amending Res. No. 432, appr. May 21, 1984, eff. May 30, 1984, entitled: "A Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the purchase and delivery of two rescue truck modules for the Dept. of Emergency Medical Services," by increasing the authorized amount from $60,000.00 to $68,570.00, chargeable to and payable from Code Account EMSTPP, Emergency Medical Services Third Party Payer Trust Fund, Index Code 251959.

Which was read and referred to the Committee on General Services.

Mr. O'Malley presented

No. 1242 Resolution providing for an Agreement or Agreements with the Center for Emergency Medicine of Western Pennsylvania for medical operations direction in connection with the Department of Emergency Medical Services, at a cost not to exceed $25,000.00 chargeable to and payable from Code Account EMSTPP, Emergency Medical Services Third Party Payer Trust Fund, Index Code 251959.

Also,

No. 1243 Communication from Glenn M. Cannon, Director, Emergency Medical Services, requesting authorization for Douglas Garretson and George Harris to attend a seminar on personal safety in hostile environments in Bethesda, Maryland, August 23-26, 1984, at a cost not to exceed $975.00, payable from Code Account EMNEAS, Emergency Medical Services Non-Resident Emergency Ambulance Service

Trust Fund, Index Code 251751. Permission is also requested for use of a City vehicle.

Also,

No. 1244 Communication from Glenn M. Cannon, Director, Emergency Medical Services, requesting authorization for Robert Full and John Rowntree to attend the Hazardous Materials Incident Response Training Course in Edison, New Jersey, August 26-31, 1984, at a cost not to exceed $1,100.00, payable from Code Account EMNEAS, the Emergency Medical Services Non-Resident Emergency Ambulance Service Trust Fund, Index Code 251751. Permission is also requested for use of a City vehicle.

Which were severally read and referred to the Committee on Public Safety.

Mr. Robinson presented

No. 1245 Resolution providing for the issuance of a warrant in favor of Carlow College Center for Business, Society & Ethics, in the amount of $855.36 for professional services rendered to the Council Task Force on Investment Policies and Business Practices for March & April, 1984, payable from Code Account No. 1001-2, Services and Salaries of Council, As Needed, Index Code 100123).
—(SPONSORED BY MR. ROBINSON)

Which was read and referred to the Committee on Finance.

Also,

No. 1246 Resolution providing for an Agreement or Agreements with the Perry Hilltop Citizens Council for administrative assistance in organizing, marketing, and capacity building of the Agency in implementing its community development programs, at a cost not to exceed $10,000.00, chargeable to and payable from the 1984 Community Development Block Grant Program, "Unspecified Local Option" (CC-84-01), Index Code - CDULO - 220806.

Also,

No. 1247 Resolution providing for an Agreement or Agreements with a consultant or consultants for the implementation of the "North Side Employment Program", at a cost not to exceed $10,000.00, chargeable to and payable from the 1984 Community Development Block Grant Program, "Unspecified Local Option" (CC-84-01), Index Code - CDULO - 220806.

Also,

No. 1248 Communication from Robert H. Lurcott, Director, Dept. of City Planning, requesting authorization for Jane Downing & Theresa Lorince to attend the Capital Facilities: Planning & Maintenance Workshop sponsored by the American Institute of Certified Planners in Baltimore, Maryland, on August 23-24, 1984, at a cost not to exceed $1,200.00, payable from Code Account 1984 Community Development Block Grant Program, Dept. of City Planning, Administration, Project No. 4-35-01-0012-84-49-84-35.

Also,

No. 1249 Communication from Robert H. Lurcott, Director, Dept. of City Planning, requesting to amend Bill No. 1004, by extending the dates from August 12-15, 1984, to August 10-16, 1984, enabling Mr. Ed Wells to attend the 1984 workshop and conference of the Urban and Regional Information Systems Association in Seattle, Washington, at a cost not to exceed $1,600.00, payable from 1984 Community Development

Program Administration, Index Code 220608.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 1250 Resolution providing for the issuance of a warrant in favor of Mackin Engineering Company (Italo V. Mackin, President) in the amount of $32,500.00 in payment of an Emergency Contract for Consulting Services to investigate grade variations of the recently completed 42" Saw Mill Run Relief Sewer prior to acceptance, chargeable to and payable from Code Account PW 84-46, 4-13-35-0003-84, Index Code 307751 Geo-Technical Engineering Contracts.

Also,

No. 1251 Resolution providing for the issuance of a warrant in favor of Nello Construction Company (Giullo Torriero, President) in the amount of $119,608.00 in payment for an Emergency Contract in connection with Phase I of the Remodeling of Council Offices, chargeable to and payable from Code Account LB 84-18, 4-13-92-2070-84, Index Code 351312, City Council Offices Rehabilitation.

Also,

No. 1252 Resolution providing for the issuance of a warrant in favor of Surv-Kap/Allied Manufacturing Co., Inc., in the amount of $3,698.50, in payment for the emergency purchase of Monuments and Bench Marks to be used throughout the City in conjunction with the placement of new sidewalks, chargeable to and payable from Code Account No. PW 84-43, 4-13-30-0200-84, Index Code No. 307603, Survey Monument Replacement.

Also,

No. 1253 Resolution providing for the issuance of a warrant in favor of Wesco, 209 West General Robinson Street, Pgh., PA 15212, in the amount of $7,203.00, in payment for retrofitting two circuit breakers, current potentials, potentiometric transformers and circuit protectors, in connection with the rehabilitation of the Highland Pump Station, chargeable to and payable from Capital Budget Account No. WD-84-03, 4-13-46-0100-84, Index Code 313601.

Also,

No. 1254 Resolution providing for the issuance of a warrant in favor of the Pittsburgh & Lake Erie Railroad Company, in the amount of $12,344.20 in partial payment of design & construction of a railroad crossing at 18th Street in relation to the South Side Riverfront Park, chargeable to and payable from Code Account CDPR 78, 4-13-72-1562-78-106-78-13, Index Code 433516, South Side Riverfront Park.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1255 Resolution further amending Res. No. 1210, eff. January 1, 1984, entitled: "Resolution adopting and approving the 1984 Capital Budget and the 1984 Community Development Block Grant Program; and approving the 1984 through 1988 Capital Improvement Program," by increasing PW 84-18, City Council Office Rehabilitation, by $215,000.00, which will provide sufficient funds for the increase of Phase I and construction costs of Phase II of the Remodeling of Council Offices.

Also,

No. 1256 Resolution amending Res. No. 814, eff. August 25, 1980, entitled: "Providing for an Agreement or Agreements with various railroads for the design and construction of a railroad crossing at the South Side Riverfront Park; and providing for the payment of the cost thereof," by decreasing the total allocation from $165,000.00 to $25,000.00, chargeable to and payable from Code Account Community Development Parks and Recreation (CDPR 78), 4-13-72-1562-78-106-78-13, Index Code 433516, South Side Riverfront Park.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Woods presented

No. 1257 Resolution providing for the issuance of a $1,231.25 warrant in favor of Lorraine Albright & Wilma Eppihimer, 83 Bigelow Street, Pgh., PA 15207 in settlement of claim for sidewalk damage by City tree roots, payable from Code Account No. 46, Judgments, Index Code 004606.

Also,

No. 1258 Resolution providing for the issuance of a $822.00 warrant in favor of Bell of Pennsylvania for property damage by a Dept. of Public Works vehicle, payable from Code Account No. 46, Judgments.

Also,

No. 1259 Resolution transferring $2,500.00 from Code Account No. 1060, Index Code 106005, Salaries, Regular Employees, Dept. of Finance to Code Account 1061, Index Code 106104, Salaries, Temporary Employees, Dept. of Finance. This transfer is necessary so that enough funds are available to pay those temporary employees who are currently on the payroll until the end of the year.

Also,

No. 1260 Communication from Melanie J. Smith, Director, Dept. of Personnel and Civil Service, requesting authorization for Jim Klein and Bernard Kelley to attend the one-day training session concerning the financial aspects of the JTPA on-line computer system in Harrisburg, PA, on either August 14, 15, 16, or 21, 1984, date of attendance to be assigned by the Pennsylvania Department of Labor and Industry, at cost not to exceed $120.00, payable from the JTPA-I Trust Fund, federal funds. Permission is also requested for use of a City vehicle.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 1261 Communication from Michael Perry, City Clerk, requesting permission for Eileen Conroy, Supervisor Word Processing Operators, to attend a one-day seminar on Today's Woman Supervisor, to be held in Coraopolis, PA, Holiday Inn - Airport, on September 13, 1984, at a cost not to exceed $150.00, payable from Code Account 1001-2, Misc. Services, Supplies, Equipment, etc., Index Code 100101.

Which was read and referred to the Committee on Finance.

Also,

No. 1262 Petition from P.J. McArdle, requesting a public hearing concerning the proposed change of name of P.J. McArdle Roadway to the Mount Washington Roadway.

Which was read and referred to the Committee on Public Works.

Mr. Woods moved to suspend Rule 8 by providing for consideration of all the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so all the bills will be on the agenda this Tuesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

UNFINISHED BUSINESS

The Chair presents

No. 1223 Resolution approving the appointment of Ms. Doris Carson Williams of 1431 Pennsylvania Avenue, Pittsburgh, PA 15222 to the Sinking Fund Commission for a term to expire March, 1989.

Which was read.

Also,

No. 1205 Resolution approving the appointment of Mr. David Hamberg of 5135 Fifth Avenue, Pittsburgh, PA 15232 to the Art Commission for a term to expire January, 1986.

Which was read.

Also,

No. 1231 Resolution approving the appointment of Ms. Mina Gerall of 931 St. James Street, Pittsburgh, PA 15232 to the Art Commission for a term to expire January, 1986.

Which was read.

Also,

No. 1227 Resolution approving the appointment of Mr. Thomas M. Schmidt of 1060 Highland Road, Pittsburgh, PA 15232 to the Historic Review Commission for a term to expire December, 1987.

Which was read.

Mr. Woods moved to approve the appointments.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 1215 Resolution approving the reappointment of Mr. Thomas Armstrong of 1306 Sherman Avenue, Pittsburgh, PA 15212 to the City Planning Commission for a term to expire January, 1990.

Which was read.

Mr. Robinson:

Mr. President and members of Council, when Mr. Armstrong was before us last Wednesday there were some concerns that I had raised. I would like to have a copy of that discussion entered into the Record, a verbatim copy of the discussion.

(BEGINNING - DISCUSSION CONCERNING RE-APPOINTMENT OF THOMAS ARMSTRONG - TUESDAY, 7/31/84)

The Chair:

Are there any questions of Mr. Armstrong?

Mr. Robinson:

Yes. Mr. Armstrong, this is a re-

appointment for you.

Mr. Armstrong:

Yes.

Mr. Robinson:

When were you originally appointed?

Mr. Armstrong:

In the Spring of 1982.

Mr. Robinson:

Some weeks ago I had sent a letter to every member of the Planning Commission concerning the Planning Commission's role or potential role in developing opportunities for everybody in this City, minorities and women in developments. I was wondering if you have had a chance to review that letter and if you have any response to it.

Mr. Armstrong:

We are very sympathetic to those issues.

Mr. Robinson:

That's it?

Mr. Armstrong:

Yes.

Mr. Robinson:

Seriously, that's the response?

Mr. Armstrong:

Yes.

Mr. Robinson:

What does that mean, that you're sympathetic to the issues?

Mr. Armstrong:

We share your concerns on those matters.

Mr. Robinson:

What about the Commission's response to the request?

Mr. Armstrong:

We haven't formulated a response yet.

Mr. Robinson:

Is the Commission going to formulate a response?

Mr. Armstrong:

You might want to check with Rosemary on that.

Mr. Robinson:

Who's Rosemary?

Mr. Armstrong:

She's the Chairman of the Planning Commission.

Mr. Robinson:

That's her full name?

Mr. Stone:

D'Ascenzo.

Mr. Armstrong:

Rosemary D'Ascenzo, yeah.

Mr. Robinson:

Are you aware of what the contents of the letter is?

Mr. Armstrong:

I haven't seen it recently but I think I know what the issues are.

Mr. Robinson:

What are the issues?

Mr. Armstrong:

You wrote it, you tell me what the issues are.

Mr. Robinson:

Mr. Armstrong, would you tell me what the issues are?

Mr. Armstrong:

I'm not here to be interrogated on the contents of your letter.

Mr. Robinson:

What are you here for, Mr. Armstrong?

Mr. Armstrong:

I'm here to be re-confirmed to the Planning Commission but I really haven't studied the letter in such detail recently that I can speak at any length on its contents.

The Chair:

That's exactly what he's asking.

Mr. Robinson:

Mr. Chairman, are my questions in order?

The Chair:

They are.

Mr. Robinson:

Mr. Armstrong, are you prepared to answer the questions?

Mr. Armstrong:

Absolutely.

Mr. Robinson:

Would you answer my questions, please?

Mr. Armstrong:

Shoot.

Mr. Robinson:

I don't have a gun.

Mr. Armstrong:

Give me another question.

Mr. Stone:

Mr. Armstrong, in fairness what he's asking is that maybe what you're saying is that there needs to be a decision from the body. He's saying, do you want to answer them yourself or through the whole body. Now if not, he wants to hold it until we get some decision.

The Chair:

Can I please make a recommendation? To go back and read Mr. Robinson's letter and then when you are able to answer them and after you read the letter, to come back and perhaps you can answer his questions. Because from my understanding of what

you are trying to say and Mr. Robinson is trying to say is that you didn't read his letter.

Mr. Robinson:

I think Mr. Armstrong did read the letter, I think that's evident from his responses. I think Mr. Armstrong is unwilling or unable to answer those questions and perhaps feels that my questioning of him is interrogation.

Mr. Armstrong:

I think what Mr. Robinson is looking for is a response from the Commission, and I'm just one member of that commission. Our next meeting is on the 20th of August — we get a summer vacation and I'm not sure if they are going to take it up on the 20th or not, but I can take that back to Rosemary and see if she'd like to.

As I say, we are sympathetic to those issues and I'm not really in a role to speak on behalf of the entire commission.

The Chair:

Mr. Robinson, were you asking for a response? The way I understand it is that you were asking for a response from the individual and not from the Commission; am I wrong?

Mr. Robinson:

That's absolutely correct. The letter was sent to Mrs. D'Ascenzo, who is the Chairperson of the Planning Commission, and every member of the Planning Commission. This is the second letter that has been sent. I believe Mr. Armstrong and Mrs. D'Ascenzo and every other member of the Planning Commission received another letter. I'm asking Mr. Armstrong for a response to the letter and I'm asking him very specifically about his re-appointment to the Planning Commission, that's what my concerns are.

Mr. Armstrong:

In response to your initial question, how do I feel about the letter? We are sympathetic to those issues — I am and I think the rest of the Commission is. An issue that we have to address I believe is whether it is within the purview of the Commission to address that matter. I don't know what the answer is going to be.

The Chair:

Once again, he's not asking for an official response by the Commission. He's asking your opinion.

Mr. Robinson:

Mr. Chairman, the letter was sent to Mrs. D'Ascenzo as Chairperson of the Commission with a copy of that letter to every other member of the Commission. I'm well aware of the process to get a formal response from the Commission. Mr. Armstrong is here today and I'm speaking directly to Mr. Armstrong. I think that it's important for Mr. Armstrong to attempt to respond to the questions if he chooses to do so.

Inasmuch as the Vice-Chairperson of the City's Planning Commission did send a letter to the Mayor, a letter was published in the paper and he did send a letter to HUD concerning what he perceived to be inadequacies in our process to provide opportunities for everybody in the City. Now if that is not an issue for everybody that serves on the Planning Commission and everybody who is to be re-appointed, then someone needs to correct me. The Vice-Chairman, Mr. Leon Howard, Jr., sent

the letter to the Mayor and to HUD. Mr. Howard is on the commission, he serves with you, Mr. Howard has a concern. Mr. Howard is not being re-appointed. If Mr. Howard was here, I'd be asking about his letter too. Anytime someone is on a board or a commission suggests that the City of Pittsburgh is not providing opportunities for all people, I believe that's a relevant question for us to get into and that's why I raised that with you, Mr. Armstrong; that's my only reason for raising it with you and I think it's a relevant question. If you are coming before this Council to be reconsidered to be re-appointed to the Planning Commission, I for one want to know whether or not you're committed to providing opportunities for everybody and whether or not you as a member of the Planning Commission are going to make sure that minorities and women have an opportunity to participate in developments; yes sir, that's a question I'm asking.

Mr. Armstrong:

And my response would be that we are sympathetic to that matter, I am personally sympathetic to it and to the extent that it is within the jurisdiction of the Planning Commission I'll be sympathetic.

Sometimes I think, however, that you may be raising an issue which is beyond the jurisdiction of the Planning Commission. I can only say is I have, without being redundant, I'm sympathetic to your concerns, I share your concerns, but I also want to make sure that the Planning Commission isn't stepping into areas that are beyond its concern.

Mr. Robinson:

Does the Planning Commission have a legal counsel?

Mr. Armstrong:

We get legal advice from the City Solicitor.

Mr. Robinson:

Has the City Solicitor been made aware of Mr. Howard's concern or my concern?

Mr. Armstrong:

I'm sure he has.

Mr. Robinson:

Do you know whether they have or not?

Mr. Armstrong:

No, I don't.

Mr. Robinson:

Okay, so then you don't know whether or not anything is being suggested is outside the purview of the Planning Commission.

Mr. Armstrong:

What was that question again?

Mr. Robinson:

You don't know for a fact that anything that has been suggested by Mr. Howard or myself is outside the purview of the Planning Commission.

Mr. Armstrong:

I don't know it for sure. It's my suspicion that it might be outside the purview of the Planning Commission.

Mr. Robinson:

What is your suspicion based on?

Mr. Armstrong:

Based on what I believe the functions of the Commission to be.

Mr. Robinson:

What do you believe the functions of the Commission to be?

Mr. Armstrong:

To hopefully make good decisions in terms of future plans for the City of Pittsburgh, zoning related issues, issues in terms of land use, basic directions in terms of how we are going to use land inside the City of Pittsburgh. I think, as I said, I think your issue is a very good one but it may be that your issue is one that is not one that the Commission should be immersed in. It might be something that would be better addressed by this body rather than by the Planning Commission.

Mr. Robinson:

This body has already addressed the issue, but is your understanding of the role of the Planning Commission based on your reading of the law and the proceedings and the regulations, or as you said, your suspicions?

Mr. Armstrong:

My suspicion is based on what I've read and what I've learned.

Mr. Robinson:

Those are the only areas that you feel that the Planning Commission should be involved in, the ones that you just mentioned?

Mr. Armstrong:

Not exactly.

Mr. Robinson:

Are there other areas?

Mr. Armstrong:

I think you really try to do what you think is best for the taxpayers and we really try to do that.

Mr. Robinson:

Does that mean all of the taxpayers?

Mr. Armstrong:

I think that's kind of a condescending question. Absolutely it does mean all of the taxpayers and if you don't think it means all of the taxpayers, you ought to come to one of our meetings sometime.

Mr. Robinson:

I was invited to one of your meetings but the meeting was cancelled. I don't think this is a time, Mr. Armstrong, for you to be arguing with a member of Pittsburgh City Council. I was under the impression that you were invited to come here so that we might question you. I didn't realize that you were supposed to come here and make condescending remarks.

Mr. Armstrong:

Is that an interpretative remark?

Mr. Robinson:

What is an interpretative remark?

The Chair:

Let's just hold it down to answering the Councilman's question.

Mr. Robinson:

Mr. Chairman, I have some serious questions about Mr. Armstrong's qualifications to serve on the Planning Commission. If for no other reason I think his attitude when he came to this table was one of belligerence and certainly one of resistance and he doesn't give me the impresison that he is prepared to serve all of the people of the City of Pittsburgh.

Mr. O'Malley:

I agree with Councilman Robinson. I think Mr. Armstrong has a very bad attitude, especially when dealing with members of this Council. I think the Planning Commission's role in the City of Pittsburgh is too important and too vital not to have a member of that commission be able to sit at this table and answer a Councilman's legitimate concerns. For one, Mr. Armstrong does not have my vote.

The Chair:

Any other questions? If not, Mr. Armstrong, thank you for coming.

Mr. Armstrong:

Thank you.

Mr. Stone:

Mr. Chairman if I may. Mr. Robinson, I think there is a little bit of confusion here and that is the matter of — apparently there are some lines that they say they can't get to, you may want to have him (Armstrong) back for further questioning after we get that so called line drawn. I don't know what it is, but —

Mr. Robinson:

Mr. Stone, I appreciate your concern, but I think that the record will reflect that Mr. Armstrong's attitude about answering my questions was clearly negative. I asked the Chair if I was asking proper questions and the Chair said that I was. I don't think I asked anything that was out of line and I don't think that in any way have I stepped on any prerogatives of the Planning Commission. Mr. Armstrong is presuming what my concerns are and I think also has decided to engage in some sort of verbal gymnastics around this issue. As I said before, Mr. Armstrong's approach to this matter was very belligerent and I agree with Councilman O'Malley; bad attitude is one way to state it. I don't know what Mr. Armstrong's professional qualifications are, but I have some strong reservations about voting to have him on the Planning Commission because I don't think he has given any indication that he's prepared to serve all of the people of the City of Pittsburgh and I don't think there's anything in the Planning Commission's mandate that restricts them from opening up opportunities to minorities and women in this City, and anybody that is going to serve on that committee, I think, who has Mr. Armstrong's attitude, certainly doesn't have my vote.

Mr. Stone:

I agree with you on that aspect.

The Chair:

This bill will be coming up for action on Monday and we can vote it up or down and talk about it at that time. I think that we are getting off track here a little bit. We can vote on it Monday.

Mr. Stone:

Relative to the Minority Business Enterprise, until some other questions are answered he (Robinson) wants to hold them and from what I'm gathering, this thing dovetails into the Planning Commission as well and there ought to be some line drawn as to what the problem is if there is a problem and then in line with that see what he does.

The Chair:

We can do that on Monday.

Mr. O'Malley:

I would like to ask Mary Anne if I can have a copy of Mr. Armstrong's testimony for each member of Council.

(END - DISCUSSION CONCERNING RE-APPOINTMENT OF THOMAS ARMSTRONG - TUESDAY, 7/31/84)

Mr. Robinson:

Also, I'd like to have put into the Record this letter which I would like to read. This letter in part I believe percipitated some discussion between myself and Mr. Armstrong. This letter is dated June 27, 1984 and is addressed to Mrs. Rosemary D'Ascenzo who is the current Chairperson of our City Planning Commission. The letter reads as follows:

"Dear Mrs. D'Ascenzo:

Approximately three years ago I forwarded to you, and each member of the Commission, a letter relative to development proposals forwarded to the Planning Commission for consideration.

At that time, and now, I was concerned that the City's commitment to a minimum of 15 percent minority business participation in developments in our City could not be realized without the cooperation and assistance of the Planning Commission.

Again, I am respectfully requesting that the Planning Commission address the issue of minority business participation in developments in the City of Pittsburgh at the time the development proposals are presented for consideration.

Your cooperation and assistance would be most appreciated.

Yours respectfully,

William Russell Robinson
Chairman
Planning, Housing and Development"

I send this letter to Mrs. D'Ascenzo in her official capacity and I sent it from my office in my official capacity as Chairman of Planning, Housing and Development for this Council. The Planning Commission is one of the commissions that my committee has to interface with and I thought it was appropriate for me to raise these questions with her.

Also, my understanding of the laws which govern the establishment and operation of the Planning Commission in no way preclude consideration of the contents of my letter, either legally, procedurally or substantively and I would hope that at the appropriate time Mrs. D'Ascenzo would be kind enough to respond to this letter.

As I mentioned before, each member of the Planning Commission, including Mr. Armstrong, received a copy of this letter and it certainly was sent in an official capacity relative to, I think, an issue that certainly relates to the public policy of this City and that is providing opportunities for each and

every person who might want to participate in the economic growth of this City.

Specifically in reference to Mr. Armstrong's appearance before us, I would like to make the motion that we deny Mr. Armstrong's approval for reappointment to the Planning Commission.

Mr. O'Malley seconded the motion.

Mr. O'Malley:

I'd just like to make a comment. I've been on this Council for five years and sat through many reappointments and I've never seen an attitude as arrogant as Mr. Armstrong's. I think the questions that Councilman Robinson was asking about the letter and Mr. Armstrong to comment on it, I think, was certainly in line with his duties as a Councilperson.

I think Mr. Armstrong showed a very poor attitude. Not only did I feel that this attitude was towards Mr. Robinson but towards Council as a whole because this Council must certainly act as a whole body. If he has this type of attitude at his confirmation where he's coming before us to ask to be reappointed, I'm afraid Mr. Armstrong would have the same attitude six months from now or a year from now whenever myself, Mr. Robinson or Mr. Woods would ask him further questions or need further information from Mr. Armstrong. I think he's very arrogant and I second Mr. Robinson's motion to deny his reappointment.

Mr. Woods:

I'd just like to reiterate what Councilman O'Malley said. He just didn't show disregard to Councilman Robinson as a member of this Council but the entire Council and I don't think we have to have people on our commissions, any commission, with that kind of behavior. I will not vote for him either.

Mr. Grabowski:

Mr. President, I would just like to make one comment I guess in support of Mr. Armstrong. I think the issue at the table Wednesday dealt with Councilman Robinson's letter to the Chairman of the Planning Commission. I know when I receive copies of letters to the Mayor or anyone else it's more or less for informational purposes only and I don't feel that I am required to respond. I think that's where we sort of got off track there. This letter was not actually directed to Mr. Armstrong even though he may have received a copy; it was directed to the Chairman. Perhaps we came down a little too hard on Mr. Armstrong, maybe, having him come to the Council meeting and him not knowing that he was expected to reply to this letter to Mrs. D'Ascenzo. I hope that we would take that into consideration.

Mr. Woods:

Mr. President, if I may. I happened to be chairing the meeting and I asked Mr. Armstrong if he didn't read the letter would he please read it and then come back at another date and respond to his thoughts. He said he read it and he wasn't about to answer.

Mr. O'Malley:

It wasn't Mr. Armstrong's awareness of the issue which Mr. Armstrong stated that he was aware of the letter. I'm referring to Mr. Armstrong's attitude and from the transcript it says: "Are you aware of what the contents of the letter is?" Mr. Armstrong's reply: "I haven't seen it recently but I think I know what the

issues are." Mr. Robinson: "What are the issues?" And this is where he gets very arrogant, Mr. Armstrong: "You wrote it, you tell me what the issues are." Mr. Robinson: "Mr. Armstrong, would you tell me what the issues are?" Mr. Armstrong: "I'm not here to be interrogated on the contents of your letter." Mr. Robinson: "What are you here for, Mr. Armstrong?" Mr. Armstrong: "I'm here to be reconfirmed." Like it was a pre-planned destiny that he was to come in front of this Council to be reconfirmed. And it's not.

The Chair:

If I may make a comment, I admit that Mr. Armstrong was unnecessarily sharp and at certain times rather caustic unnecessarily. I think that some of his words were accommodating rather than a response to what was required. I believe as well that there was an issue that was over and above what he was to answer but he regretfully and unnecessarily chose to respond and that's in line with Mr. Ben Woods' question. If I were to there I think I would have said I'd like to have the opportune to read the letter and then come back at another time. He chose not to do that. But I am mindful of the fact that it is a reappointment and having been there for four years there has not been yet anything mentioned for which he should not be confirmed based on the past record or that he has done anything contrary to what has been hoped should be done in that department.

I end the remark as I began it. In my personal opinion he was rather sharp unnecessarily and at points even caustic and that certainly doesn't help. But I would hope that we of Council can look at the merit and the substance of the work rather than the demeanor on the day of selection.

Mr. Woods:

I am going to vote against Mr. Armstrong for reappointment but I would like to thank him for his four years of service, it's all volunteer.

Mr. Grabowski:

Mr. President, if I could make a comment on the quotes that Councilman O'Malley made from Wednesday's meeting. If I can read into Mr. Armstrong's comments, and I may be wrong, but he actually did not receive that letter or did not read that letter. Apparently because of Councilman Robinson's questioning he said there was something very important and he did not want to indicate that he was not familiar with it. I suspect that is what happened and that is why he wasn't able to answer Councilman Robinson's concerns accurately. I may be wrong but then again I may not be.

Mr. Woods:

Steve, I gave him the opportunity to leave, read, get the information and come back to the table on another day. He refused to. He said, "No, I know what the contents of the letter was."

The Chair:

He fumbled the ball on that one, in fairness.

Mike, take the roll. The motion is to deny.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. O'Malley	Mr. Wagner
Mr. Robinson	Mr. Woods

AYES 4 NOES 2

(MR. GRABOWSKI AND MR. STONE VOTING NO)

(MRS. MASLOFF ABSTAINING)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

The Chair:

That motion having failed, let's try it the other way. Do I have a motion to approve?

Mr. Grabowski:

So moved.

Mrs. Masloff seconded the motion.

Mr. Robinson:

Comment on the motion. Mr. President and members of Council, I think if you read the statements made by Mr. Armstrong and myself on Tuesday, July 31, 1984, I think you would be hard pressed to disagree that Mr. Armstrong not only disrespected a member of this Council but also disrespected this Council in general.

I think Councilman O'Malley's earlier comments speak to a much broader issue and that is the issue of what type of decorum should exist in these Council Chambers, what kind of respect we should give the people who come to the table and what kind of respect they should give to us. Mr. Armstrong was a guest before this Council and we had a legal obligation and duty to evaluate his ability to continue, not necessarily based on his past performance but based upon our questioning and whatever type of investigation we as individual members would like to make. I attempted to do that and to do it in such a fashion that I not only respected this Council but respected Mr. Armstrong. Mr. Armstrong did not respect me as a member of this Council, or this Council. I think this Council, if it approves Mr. Armstrong, is approving some of the most arrogant and belligerent behavior that anyone who has ever come into this Council has exhibited in reference to Council and a member of Council. It will be indeed a very very precedent and I think it will send a signal to the Administration of this City that it is okay to have people who are going to be confirmed come into these Council Chambers and disrespect any member of this Council and disrespect this Council.

When Mr. Armstrong suggested that I was interrogating him after I believe one or two questions, very short questions, I respectfully asked the Chair whether or not my questions were in line. The Record will reflect that the Chair held by Councilman said that I was in line and I proceeded. Mr. Armstrong had numerous opportunities to correct his behavior and to adjust his attitude. He chose not to. I think anyone who saw the program over cable TV understands exactly what Mr. Armstrong said and I don't think there's any disagreement as to what his attitude was.

Above and beyond that, Mr. Armstrong I think has shown a lack of good judgment. Not only has he apologized to any individual member of this Council he may have insulted, he has not even bothered to apologize to this

Council, compounding the situation. To confirm him is to confirm his behavior and his attitude and it is also to send to the Administration of this City a signal that you can send someone over here for confirmation and no matter what they do and what they say this Council will excuse that behavior based on past performance. Nothing has been presented to this Council about Mr. Armstrong's past performance. Nothing. Absolutely, positively nothing. All we have to evaluate Mr. Armstrong on is the resume that was forwarded to us by the Administration and his performance on July 31, 1984. I submit if you weight his personal performance against his resume, his personal performance suggests that he is not fit or suited to serve on the Planning Commission of the City of Pittsburgh and I think Mr. Armstrong, as someone who has taken on a public responsibility in the past, who has gone to numerous community meetings, who was selected by the Mayor, who is evaluated by they Administration, who was previously appointed to the Planning Commission, should have known better. To confirm Mr. Armstrong is to confirm a very bad situation, one that showed total disrespect for this Council, not simply for Councilman Robinson. Councilman Robinson on numerous occasions has requested the Chair and the President of this Council to have anyone who comes into these Chambers respect us, whether it be a department head, a citizen, the Mayor or an appointee. And my position is still the same.

I hope that each member of this Council will search their soul before they support Mr. Armstrong. I certainly have no intentions of supporting Mr. Armstrong.

Mr. O'Malley:

Point of order. Clarification. We just voted not to confirm Mr. Armstrong; how can we have a vote to confirm him now?

The Chair:

Because you're in a standstill position as I see it. He either has to go up or down.

Mr. O'Malley:

He just went down. It's my understanding we just called a vote not to confirm him.

The Chair:

Right. But it didn't get five votes so the motion fails.

Mr. O'Malley:

What was the vote on that?

Mr. Perry:

Ayes, four; noes, two; one abstaining.

Mr. Woods:

Mr. President, if I may. For a few years, I guess through some members of Council we've lost respect of the public. I feel that Mr. Armstrong came here with that attitude in mind; that perhaps my colleague here ran his ad to stop the circus. I feel we have done that. Mr. Armstrong hasn't gotten the message. And if we let him or any other individual who appears before Council show such disrespect to this body — and that's what he did, it was to the body; it wasn't Councilman Robinson or Ben Woods or Mr. Wagner or yourself, it was Council as a body — then we are telling the public, "Hey, we are a bunch of clowns; don't show us any respect." He was shown respect, I feel, at that

meeting and he didn't give us the same respect. I urge all of my colleagues to vote against Mr. Armstrong and send the message that we want treated with respect, that we are an honorable body, and we do conduct ourselves in a proper manner.

Mr. Grabowski:

Mr. President, perhaps what we have here is a difference of opinion. I was here when Mr. Armstrong was testifying and to me he did not come off as being arrogant or being abusive to this Council. Maybe it's just me because I'm an easy-going guy. You might be harsh with me and if that's the way you are, okay. But to me he did not come off that way and I sympathize with incumbents. So, I'm going to support him.

The Chair:

May I make a suggestion here? The Chair foresees a problem one way or the other here. Might I suggest that we recommit this appointment back —

Mr. O'Malley:

No. Call the vote.

The Chair:

Okay. The vote is to approve.

Mr. Woods:

Before we vote, I would like to remind all my colleagues, if you don't respect yourselves, no one else is going to respect you.

The Chair:

I'm voting yes with the understanding that what has been said here is totally accurate, with the understanding that I think that we ought to be magnanimous on occasions. I'm sure that those of us who live a little bit longer than others have always had that bad day and I'd like to give someone their due for their bad day. But on the other hand, I cannot overlook or to wipe out because someone's had a bad day that we forget the four years they've been there and since the Record has not been blemished the Chair can only assume that the Record is unblemished. That's done with all due respect for Councilman Robinson and this Council but I think that we are all big enough to take it when people present themselves at least for four years for public service.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Stone (Pres't)

AYES 2 NOES 5

VOTING NO:

Mrs. Masloff	Mr. Wagner
Mr. O'Malley	Mr. Woods
Mr. Robinson	

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

The Chair:

Mr. Parliamentarian, you're going to have to give us a response, not now.

Mr. Woods:

Correction. He loses.

The Chair:

I agree.

Mr. O'Malley:

I think it's time now that we ask the Mayor to submit another name.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 1263

Report of the Committee on Finance for July 31, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1070

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of American Contractors Equipment Corporation in the amount of $1,096.47 for emergency purchase of street sweeper parts."

Which was read.

Also,

Bill No. 1071

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Doerr Brothers, Incorporated, in the amount of $3,386.00 for emergency repairs to two City vehicles, without previous authority of law."

Which was read.

Also,

Bill No. 1077

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Amaral and Neumeyer, Incorporated, in the amount of $16,500.00 in payment of an Emergency Contract for the removal of asbestos material existing within the following facilities: Ormsby Recreation Center, Ammon Recreation Center, Moore Recreation Center, Phipps Administration Building and No. 20 Fire Station; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1078

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Ferdinand Palombo Landscaping Company, in the amount of $3,956.34, in payment for Extra Work, being in addition to the original contract price of $210,090.00 on Controller's Contracts No. 26502, furnished for the benefit of the City in connection with the renovation of the Northview Heights Playground; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1079

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Moscatiello Construction Company, in the amount of $14,952.38, in payment for Extra Work, being in

addition to the original contract price of $3,460,895.60 on Controller's Contract No. 26658 & 26658-F, furnished for the benefit of the City in connection with the reconstruction of Warrington Avenue - Phase I; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1088

A Resolution entitled, "Resolution amending Resolution No. 508, approved June 20, 1984, entitled: "A Resolution providing for the issuance a warrant in favor of Milt Lupus, c/o Financial Management Services, in the amount of $3,900.00 for professional services rendered to Pittsburgh City Council in conjunction with a review of the financing plan presented for the proposed Pittsburgh Water and Sewer Authority," by changing the funding source from Code Account No. 1001-1, Misc. Services, Supplies, Equipment, etc., City Council and City Clerk's Office, to Code Account No. 1001-2, Salaries, Wages, and Services of Council."

Which was read.

Also,

Bill No. 1089

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States of America, Equal Employment Opportunity Commission, for a grant or grants in connection with Deferral of Employment Discrimination Charges, EEOC-706 Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the EEOC-706 Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account."

Which was read.

Also,

Bill No. 1090

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States of America, Department of Housing and Urban Development, for a grant or grants in connection with Deferral of Housing Discrimination Charges (and related activities), HUD-FHP Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the HUD-FHP Project; providing for

required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account."

Which was read.

Also,

Bill No. 1097

A Resolution entitled, "Resolution transferring the sum of ($60,000.00) Sixty Thousand Dollars, from Code Account 1167, Index Code No. 116707, Wages, Regular Employees, Department of Environmental Services, to Code Account No. 1160-1, Index Code No. 116012, Premium Pay, Department of Environmental Services."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 1264

Report of the Committee on Public Works for July 31, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1063

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Grant Liberty Development Group Associates, a Pennsylvania general partnership, for the grant of easements for the construction, maintenance and use of improvements to be constructed above, on and beneath certain portions of the public rights-of-way of Tenth Street, Penn Avenue, Eleventh Street, and Liberty Avenue, in connection with the construction of the Liberty Center."

Which was read.

Also,

Bill No. 1064

A Resolution entitled, "Resolution granting unto Timothy Carrera, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, an off street parking stall on a portion of the unimproved roadway of Georgia Avenue in the 30th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1065

A Resolution entitled, "Resolution granting unto Judi Kirsch and James Kirsch, 1858 Dagmar Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Swimming Pool on a portion of unimproved Crosby Avenue in the 19th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1066

A Resolution entitled, "Resolution granting unto Thomas and Jill Niebel, 702 Moonstone Drive, Allison Park, PA 15101, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Building Encroachment on a portion of the right-of-way of Laurel Alley in the 24th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1067

A Resolution entitled, "Resolution refixing the width and position of the sidewalks and roadway of portions of First Avenue between Market Street and Wood Street."

Which was read.

Also,

Bill No. 1068

A Resolution entitled, "Resolution vacating Exchange Way from 8th Avenue to a point 60.06 Feet West, in the 2nd Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

Bill No. 1265

Report of the Committee on Planning, Housing and Development for July 31, 1984 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1076

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Constance A. Portis for

the sale of Parcel 228A in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27 (SIDEYARD)."

Which was read.

Also,

Bill No. 1110

A Resolution entitled, "Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1984 Community Development Block Grant Program; and providing for the payment of the costs thereof." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Robinson:

On Bill 1110, I'd like to make an amendment.

In Section 1 of that bill, and this is an amendment that Mr. Brophy asked us to make to that bill, in Section 2 of the bill the first paragraph should read as follows: "The Urban Redevelopment Authority is authorized to act as the City's agent in the issuance of mortgage revenue bonds and home improvement bonds in an aggregate amount not to exceed $25 million under the following conditions:"

The Chair:

And they are?

Mr. Robinson:

The conditions? They're in the bill.

The Chair:

Okay.

Mr. Robinson:

The only other change, if I might, is Section B, the word mortgage was misspelled and that should be corrected.

The Chair:

It may be on our papers but not on the original bill.

Do I have an second on the amendment?

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also,

Bill No. 1111

A Resolution entitled, "Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1984 Community Development Block Grant Program, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1112

A Resolution entitled, "Resolution providing for the execution of a Sixth Amendatory Herr's Island Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh to increase funding under the Cooperation Agreement by Three Hundred Thousand ($300,000.00) Dollars

from Two Million Five Hundred Sixty Thousand ($2,560,000.00) Dollars to Two Million Eight Hundred Sixty Thousand ($2,860,000.00) Dollars." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 1119

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title One-Administrative, Article VIII, Procedures, Chapter 161, Contracts, by adding Section 161.19, Subsections (a) (5) and (a) (6)." **—(SPONSORED BY MR. ROBINSON)**

Which was read.

Also,

Bill No. 1120

A Resolution entitled, "Resolution amending Section 10 of Resolution No. 301, effective April 24, 1984, entitled: 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the 1984 Community Development Block Grant Program; providing for the execution of Grant Contracts and for the filing of other data; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; providing for the deposit of the funds in a bank account and providing for payment of expenses within categories'; so as to adjust line item titles, add project numbers and line item designations, and reflect the new Grant amount as provided by the Department of Housing and Urban Development."

Which was read.

Also,

Bill No. 1121

A Resolution entitled, "Resolution amending Resolution No. 1090, effective November 12, 1981, entitled: 'Providing for an Agreement or Agreements with the Brashear Association of the South Side and the Urban Redevelopment Authority, so as to renovate the Brashear Association Center at 2005 Sarah Street and the Henry Kaufmann Center at 2201 Salisbury Street for continued use as multi-purpose neighborhood centers,' so as to increase the amount allocated to complete the project from $190,000.00 to $240,000.00."

Which was read.

Also,

Bill No. 1122

A Resolution entitled, "Resolution amending Resolution No. 420, effective June 10, 1983, entitled: 'Providing for an Agreement or Agreements with the Neighborhood Centers Association, located on the East North Side, and the Urban Redevelopment Authority, for the construction of a community facility, at a cost not to exceed $75,000.00', so as to increase the amount allocated to $125,000.00."

Which was read.

Also,

Bill No. 1123

A Resolution entitled, "Resolution amending Resolution No. 1086, effective November 12, 1981, entitled: 'Providing

for an Agreement or Agreements with the Hill House Association and the Urban Redevelopment Authority for the renovation of the Hill City Building located on Bedford Avenue in the Hill District', so as to increase the project amount allocated from $150,000.00 to $185,500.00."

Which was read.

Also,

Bill No. 1124

A Resolution entitled, "Resolution providing for an Agreement(s) with Consultant(s) to assist the City in improving its Citizens Participation Process and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1125

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Port Authority of Allegheny County for continuation of the Hill District and Oakland Loop Bus."

Which was read.

Also,

Bill No. 1126

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Ursuline Center and the Urban Redevelopment Authority for the renovation of a building to serve as a hospitality house for low and moderate income persons who have family members in the hospital."

Which was read.

Also,

Bill No. 1127

A Resolution entitled, "Resolution providing for an Agreement(s) with the Mom's House, Incorporated, for the purchase of a building to establish a day-care center for low and moderate income, young mothers, at a cost not to exceed $35,000.00."

Which was read.

Also,

Bill No. 1128

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Welfare Rights Organization of Allegheny County to provide counseling to low and moderate income residents of the City of Pittsburgh at a cost not to exceed $40,000.00."

Which was read.

Also,

Bill No. 1129

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Hunger Action Coalition of 4401 Fifth Avenue, and the Urban Redevelopment Authority of Pittsburgh, for the rehabilitation of a structure on Penn Avenue to be used as office space for the Agency."

Which was read.

Also,

Bill No. 1130

A Resolution entitled, "Resolution providing for an Agreement or

Agreements with the Neighborhood Fund, Incorporated for the administration of a program to provide financial and technical assistance to small community-based organizations."

Which was read.

Also,

Bill No. 1131

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Hill District Project Area Committee for the continuation of administrative support in conducting a neighborhood revitalization program in the Hill District."

Which was read.

Also,

Bill No. 1132

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Centre Avenue YMCA, located at 2621 Centre Avenue, Hill District, and the Urban Redevelopment Authority, for the renovation of their building for use as a community center, at a cost not to exceed $150,000.00."

Which was read.

Also,

Bill No. 1133

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Light of Life Rescue Mission, Incorporated, to pay for administrative costs at facilities which provide meals and homes to low income residents of the City of Pittsburgh, at a cost not to exceed $33,500.00."

Which was read.

Also,

Bill No. 1134

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a consultant or consultants to conduct a feasibility study of elderly housing development in the Mt. Washington neighborhood."

Which was read.

Also,

Bill No. 1135

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Bidwell, Incorporated, for the administration of a job training and employment program for low/moderate income persons, at a cost not to exceed $60,000.00."

Which was read.

Also,

Bill No. 1136

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Program for Female Offenders, Inccorporated, for the reimbursement of costs associated with the purchase of a van for the transportation of low/moderate income persons to employment and training sites, at a cost not to exceed $11,500.00."

Which was read.

Mr. O'Malley:

Mr. Chairman, I'd like to make an amendment to Bill 1136, Program for

Female Offenders. I'd like to increase the amount from $11,500.00 to $12,325.00, an increase of $825.00.

Mr. Woods seconded the motion.

Which motion prevailed.

Also,

Bill No. 1137

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Hazelwood/Glenwood/Glen Hazel Council, Incorporated, located at 4910 Second Avenue, Hazelwood, and the Urban Redevelopment Authority, for the rehabilitation of a vacant public building located on Second Avenue for use as a neighborhood council office building and community facility, at a cost not to exceed $100,000.00."

Which was read.

Also,

Bill No. 1138

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Allegheny County Chapter of the Association for Retarded Citizens, located at 1001 Brighton Road, and the Urban Redevelopment Authority, for the renovation of its headquarters/training center on the North Side, to make the building structurally and mechanically safe and accessible to the handicapped, at a cost not to exceed $53,000.00."

Which was read.

Also,

Bill No. 1139

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Hazelwood YWCA, located at 4944 Second Avenue in Hazelwood, and the Urban Redevelopment Authority, for the rehabilitation of their community services building, at a cost not to exceed $26,500.00."

Which was read.

Also,

Bill No. 1140

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Oakland Planning and Development Corporation, Incorporated, for the City's share of funding for the continued involvement and execution of revitalization programs and projects in the Oakland Community."

Which was read.

Also,

Bill No. 1141

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Hearing, Speech, and Deaf Services, Incorporated, of 1344 Fifth Avenue, and the Urban Redevelopment Authority, for the City's share in the rehabilitation of a building to assure permanent housing for the operations of the Agency."

Which was read.

Also,

Bill No. 1142

A Resolution entitled, "Resolution providing for a Agreement or Agreements with Pittsburgh Action

Against Rape for professional services in connection with their counseling program for victims of sexual abuse in an amount not to exceed $50,000.00."

Which was read.

Also,

Bill No. 1143

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh for the summer clean-up program in Housing Authority communities employing residents of the Housing Authority areas for this purpose."

Which was read.

Also,

Bill No. 1144

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Lawrenceville Citizens Corporation for a two-year period for the City's share of administrative costs to establish a local development corporation to pursue neighborhood revitalization activities, for a sum not to exceed $110,000.00." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 1145

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Bloomfield-Garfield Development Corporation, to promote and implement the economic and physical redevelopment of the Penn Avenue retail/residential district in the Bloomfield-Garfield neighborhood; to follow through with implementing the activities recommended and approved by the City in the 1980 Bloomfield-Garfield market study; and to use the Bloomfield-Garfield Development Corporation as the coordinating agent for formulating and implementing the renewal plans recommended in the Bloomfield-Garfield market study."

Which was read.

Also,

Bill No. 1146

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Neighborhood Alliance for the implementation of the "Home Security Program", including Block Watch Organizations, and the installation of locks and smoke detectors in various Community Development Block Grant neighborhoods in the City."

Which was read.

Also,

Bill No. 1147

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Western Pennsylvania Conservancy for the Community Self-Help Beautification and Community Gardening Programs on highly visible vacant lots in Community Development Neighborhoods for an amount not to exceed $45,000.00."

Which was read.

Also,

Bill No. 1148

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Ernest T. Williams Center, located at 101 Hazlett Street, and the Urban Redevelopment Authority of Pittsburgh, for the rehabilitation of a facility to be used as a day care center for low/moderate income persons."

Which was read.

Also,

Bill No. 1149

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Vintage Center, Incorporated of East Liberty, and the Urban Redevelopment Authority for the installation of a new elevator in their senior citizen center located at 401 N. Highland Avenue."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1266

Report of the Committee on Planning, Housing and Development for August 6, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1113

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the Housing Development Grant Program; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Beechwood Towers Housing Development Grant Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a special trust fund in connection with the project; and providing for the deposit of the funds in a bank account."

Which was read.

The Chair:

We have now completed Christmas in August; we've covered all of the ULO projects and I noticed that we're being told relative to the Pittsburgh hearing, that's Bill 1141, and it's $250,000.00.

Also,

Bill No. 1114

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States Dept. of Housing and Urban Development for a grant in connection with the Housing Development Grant Program; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Bates Street Housing Development Grant Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Bates Street Housing Development Grant Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a special trust fund in connection with the project; and providing for the deposit of the funds in a bank account."

Which was read.

Also,

Bill No. 1115

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the Housing Development Grant Program; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Brighton on the Park Housing Development Grant Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a special trust fund in connection with the project; and providing for the deposit of the funds in a bank account."

Which was read.

Also,

Bill No. 1116

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the Housing Development Grant Program; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Highland Plaza Housing Development Grant Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a special trust fund in connection with the project; and providing for the deposit of the funds in a bank account."

Which was read.

Also,

Bill No. 1117

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the Housing Development Grant Program; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Davison Square Apartments Housing Grant Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a special trust fund in connection with the project; and providing for the deposit of the funds in a bank account."

Which was read.

Also,

Bill No. 1150

A Resolution entitled, "Resolution amending Resolution No. 1065, effective December 6, 1983, entitled: "Establishing conditions and requirements for the receipt, distribution, and management of Urban Development Action Grant funds received by the City of Pittsburgh" to read as follows: Establishing conditions and requirements for the receipt, distribution, and management of Urban Development Action Grant (UDAG)/Housing Development Action Grant (HODAG) funds received by the City of Pittsburgh."
—(SPONSORED BY MR. ROBINSON)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Mrs. Masloff	Mr. Wagner
Mr. O'Malley	Mr. Stone (Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

Bill No. 1267

Report of the Committee on Parks and Recreation for July 31, 1984 transmitting one resolution Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1074

A Resolution entitled, "Resolution providing for an Agreement or Agreements with an independent contractor to provide professional services in connection with the Department of Parks and Recreation's programming, specifically the Great Race, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 5 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 1268

Report of the Committee on Engineering and Construction for July 31, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1080

A Resolution entitled, "Resolution providing for an Agreement or Agreements for Architectural/Engineering Services and a Contract or Contracts, including the use of existing Contracts for construction of the No. 29 Fire Station on Noblestown Road (formerly No. 10); and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1081

A Resolution entitled, "Resolution amending Resolution No. 278, effective April 17, 1984, entitled: 'Providing for an Agreement or Agreements with Salvucci and Associates, Incorporated (Joseph Salvucci, President) for Professional Engineering Services in connection with the In-Depth Inspection of the Ohio River Boulevard Bridge No. 1 over Verner Avenue and the Ohio River Boulevard Bridge No. 2 over Eckert Street; and providing for the payment of the costs thereof,' by providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation."

Which was read.

Also,

Bill No. 1082

A Resolution entitled, "Resolution Repealing Resolution No. 1094, approved October 29, 1981, effective November 11, 1981, entitled: 'Providing for a Contract or Contracts in connection with the construction of a new #10 Engine Company, West End and providing for the payment of the costs thereof.'"

Which was read.

Also,

Bill No. 1083

A Resolution entitled, "Resolution amending Resolution No. 961, effective November 7, 1983, entitled: 'Providing for a Contract or Contracts, or the use of existing Contracts, in connection with the Rehabilitation of various Fire Stations, including the removal of asbestos; and providing for the payment of the cost thereof', by increasing the total project allocation by One Hundred Twenty Eight Thousand ($128,000.00) Dollars."

Which was read.

Also,

Bill No. 1084

A Resolution entitled, "Resolution amending Resolution No. 244, approved April 8, 1983, effective April 20, 1983, entitled, 'Providing for an Agreement or Agreements for Architectual/Engineering Services and a Contract or Contracts, including the use of existing Contracts, for construction in connection with alterations at Special Populations Program Centers to accomodate the physically handicapped, and providing for the payment of the

cost thereof,' by increasing the total project allocation by $9,000.00."

Which was read.

Also,

Bill No. 1085

A Resolution entitled, "Resolution further amending Resolution No. 1210, effective January 1, 1984, as amended by Resolution No. 509, effective June 29, 1984, entitled: 'Resolution adopting and approving the 1984 Capital Budget and the 1984 Community Development Block Grant Program, and approving the 1984 through 1988 Capital Improvement Program,' by creating a new line item and adjusting the Summary Totals."

Which was read.

Also,

Bill No. 1086

A Resolution entitled, "Resolution taking, appropriating and condemning, by the City of Pittsburgh for public road improvement purposes, certain property of Sidney Singer (22-M-108), and Combustion Services Equipment (22-M-97), situated along Pennsylvania Avenue between the Pennsylvania Avenue Bridge and Brighton Place, in the Twenty Fifth (25th) Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Wagner presents

Bill No. 1271 WHEREAS, the City of Pittsburgh has an accident record for work related injuries that is out of control. This poor accident record reflects the loss of life, human suffering, loss of good employees, and a financial loss to taxpayers in 1983 of approximately $12 million. The City also has accumulated an unfunded workers compensation liability of $40,000,000.00.

The City of Pittsburgh has been negligent in not developing a Safety Policy indicating the Administrations attitude toward accident prevention. If the Mayor, Council, Controller and Department Directors are genuinely interested in preventing accidents and injuries all City employees will be also. A written policy must be developed to provide proper direction. For this reason a written Safety Policy must be developed.

In addition to a Safety Policy the need exists to form a Safety Committee headed by the Mayor. In addition to the Mayor, several members of Council, the Controller, Department Directors, the Benefits Coordinator, Safety Coordinator and Key Union Presidents should be part of this Committee.

The Safety Committee should establish objectives to reduce the number of accidents in all Departments in the City. They should also meet on a regular basis to review the progress of these objectives.

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh hereby requests the Mayor to initiate a Safety Policy and a Safety Committee in City Government.

Mr. Wagner moved to adopt the resolution.

Mr. Woods seconded the motion.

Which motion prevailed.

Mr. Wagner:

Mr. President, I'd just like to further state that I think this is extremely important; I think it's important that we pass this, it's important that we let the Mayor know of our concern for the number of losses in this City. The financial losses are increasing daily, yearly, and they're getting to the point where they're uncontrollable. We need to develop a very conscious safety awareness program that can only be done by the top elected officials and the department directors becoming involved in that program. Thank you.

The Chair:

Thank you, Mr. Wagner.

Mr. Grabowski:

Mr. President and members of Council, I'd like to take this opportunity to ask for your undivided attention for the next several minutes so that we might address an issue that I believe is extremely important to the City of Pittsburgh.

For the last few months I have conducted extensive research into the past coal mining that took place beneath our City. This afternoon I would like to reveal the disturbing conclusions of my research. To assist all of you in understanding that which I am trying to convey I will be utilizing some visual aids.

Now, to put this whole matter into perspective, I think we have to take a brief look at history. I think you all agree that today Pittsburgh is one of the great cities of this nation. The reason we enjoy that distinction is primarily due to the heavy industry that once flourished here. Back in the 1800's our City started to expand when factories and mills located here; but that industry did not come to Pittsburgh by accident. It was drawn to our City by the wealth of our natural resources. At the top of that list was a vast abundance of coal and especially the easy accessibility to this coal. The mining for this black gold went deep into our hillsides literally creating hundreds of miles of tunnels. The type of mining utilized by our great great grandfathers was crude by today's standards. It was totally unregulated and conducted with lack of foresight for future generations. These mines, once depleted of the riches, were sealed and forgotten but they are still there today and much of the City is built over these exhausted quarries.

Ironically, this same coal that had such a positive influence then is going to come back to haunt us now. The engineers and the geo-technical specialists that I have consulted with all agree that the isolated cases of mine subsidence that we have experienced thus far is but a small sampling of the

deterioration that is taking place beneath Pittsburgh.

Now, to help you visualize this legacy I had this scale model of a very visible part of Pittsburgh constructed. Recognizably, here we have a miniature Mount Washington as we all know it. But there is another dimension to Mount Washington that very few of us would recognize, that which is beneath the surface. Perhaps the members of Council would like to step forward and see the mines that I speak of. As you can see, the entire neighborhood is built on unstable ground. As long as these supporting columns continue to support, that's fine. But sooner or later our luck is going to run out and they will crumble. When they do, costly damage will result.

I have another model to illustrate this damage. Here we have a typical home built over a coal mine. So long as the remaining pillars of coal continue to support the overburden, everything is fine. Once these pillars collapse, so does the home.

Even though this model represents Mount Washington, it is a typical example of all the undermine communities in Pittsburgh and that number is significant.

Here we have a map of Pittsburgh as most of us know it. This plastic overlay represents the mined-out areas in Pittsburgh. As you can see, it is pretty extensive; at least one third of the City is affected. Some of the more prominent communities in this mined area are Mount Washington, Duquesne Heights, Eliott, Banksville, Beechview, Brookline, Overbrook, Carrick, Knoxville, Allentown, Betzhoover, Arlington, Lincoln Place, parts of Hazelwood and Greenfield, several sections in Squirrel Hill, parts of Oakland, Schenley Heights and the Hill District, parts of Garfield and Stanton Heights. There was some mining around Highland Park and a little bit in Brushton, and of course, there are several sections scattered throughout the North Side.

I think it's clear that the problem is wide-spread. Unfortunately, there is very little that can be done to physically correct this problem. Certain federal and state projects to fill mining voids with fly ash and concrete and other substances have proved to be of dubious value and at best are very expensive. The only viable alternative is insurance.

Mine subsidence is such a foregone conclusion in areas that have been mined out commercial insurance companies do not offer this protection. This is something probably many homeowners do not realize. Back in the '60's the state recognized the magnitude of this problem and it established a mine subsidence insurance fund administered by the Department of Environmental Resources. The premiums for this insurance are extremely reasonable. Unfortunately, either because of lack of knowledge, indifference, or in some cases the inability of some to spend a small amount of money, very few people take advantage of this opportunity. My research has revealed that despite this extensive mined area, only 314 polices are in force in Pittsburgh. That is a very sobering number when one considers the fact that there are approximately 50,000 properties situated above the mines in our City.

I am sufficiently convinced that what I have described is such a potential danger to our residents that I believe the City, as a matter of policy, should intervene on behalf of our citizens for their protection. I have conceived a way by which we can do this; that is simply to

have the City as a municipality purchase group mine subsidence insurance for the protection of our residents. Presently, the practice is for each individual property owner to contract directly with DER.

In early June I communicated this concept to the Department of Environmental Resources. To date, I have not yet had a response from them. I am suspect that that agency does not feel that one individual Councilman commands enough authority to warrant their consideration of this idea. That is why this afternoon I am putting forth a resolution that will indicate that Council as a body is interested in this idea. If in fact we pass the resolution and DER does formulate some type of group coverage plan, at that time when the specifics are known, we can decide if it is something that is within our budget and something that we would like to pursue.

In closing I would like to leave you with one thought. When I was growing up, my parents and my grandparents instilled in me the essence of the old addage that an ounce of prevention is worth a pound of cure. I hope all of you, my colleagues, adhere to that same belief and will support the resolution.

One further comment that I must make, there were a number of people that assisted me in this project and for the Record I would like to name a few of these individuals. First, Mr. Thomas Alexander of the Department of Environmental Resources, Division of Mine Subsidence in McMurray, PA; Mr. Gene Vaskov of the Allegheny County Engineering and Construction Department; our own Jose Serpa of the Public Works Department; and lastly, Mr. Dan Grieco, Jr. and Mr. Mike Spanovich of Engineering Mechanics Incorporated. All these people were extremely helpful and without their assistance I'm sure I would not have been able to do this.

With that, I will thank Council for its undivided attention and I will present the resolution to the City Clerk for reading.

Mr. Grabowski presents

Bill No. 1272 WHEREAS, this Council is aware of the dangers of unregistered and unregulated coal mines in the City of Pittsburgh; and

WHEREAS, the physical and financial hazards of abandoned coal mines threatens over one-third of the City's geography; and

WHEREAS, public recognition of these hazards is shockingly low, in that only 314 residences and/or commercial establishments are now covered by any form of subsidence insurance; and

WHEREAS, the Commonwealth of Pennsylvania, through its Department of Environmental Resources, has established an inexpensive mine subsidence insurance program for properties that are undermined; and

WHEREAS, currently this insurance is only available after the cumbersome procedure of building by building inspection, which can result in significant delays in obtaining coverage; and

WHEREAS, it is in the interest of the City to protect its residents from unforseen and in some cases unforseeable damages.

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh hereby requests the Pennsylvania Department of Environmental Resources to create an

adjunct to their mine subsidence insurance program which would allow the City of Pittsburgh to purchase, at a discount, group insurance for all properties within their jurisdiction that are affected.

Mr. Grabowski moved to adopt the resolution.

Mr. Woods seconded the motion.

Which motion prevailed.

Mr. Woods:

If I may, I'd like to commend Mr. Grabowski on all the research that he's done on this subject and since I've been on Council I've never seen any one of my colleagues go into more detail. You enlightened me, Steve, and I think you did one heck of a fine job and I commend you.

Mr. Grabowski:

Thank you.

Mrs. Masloff moved to excuse Mr. Givens and Michelle Madoff for absence from the meeting.

Mr. Woods seconded the motion.

Which motion prevailed.

Mr. Woods moved to adjourn this meeting and meet again next Monday, August 13, 1984, at 10:00 a.m.

Mrs. Masloff seconded the motion.

And on the motion of **Mr. Woods**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, August 13, 1984 No. 33

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, August 13, 1984

PRESENT:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

ABSENT:

Mr. Givens

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

We will take Mr. Grabowski, he has a resolution for presentation.

Mr. Grabowski:

Actually, I have some people here —

The Chair:

Step forward.

Mr. Grabowski:

Mr. President and members of Council, — I guess this doesn't work.

Michelle Madoff:

The mike's dead.

Mr. Grabowski:

Well, we're close enough.

Michelle Madoff:

We're not close enough. I don't have a voice which is why I was away. Can we get the mikes fixed please? Mr. Chairman, according to Robert's Rules, if there's something annoying a member of Council we can call for an adjournment until it's fixed.

The Chair:

We'll proceed with as much as we can. Proceed, Mr. Grabowski.

Michelle Madoff:

Excuse me, sir. According to

Robert's Rules, if a member of Council is inconvenienced you must stop and trv to correct that problem.

The Chair:

Mr. Grabowski, you'll speak as loud as you can. Proceed and if we have anv difficulty the Chair will then determine whether we need to have any pause here.

Mr. Grabowski:

This morning I'm offering a resolution to Council that deals with a bit of history and human rights years ago. I'm offering the resolution on behalf of the Central Council of Polish Organizations. Today I think it's appropriate that we as a public bodv commemorate the fight that many immigrants of this country have had to engage in to have their rights recognized. Too often citizens think that the fight for civil rights began in the 60's and actually 150 years before the founding of this republic is when the fights for civil rights began.

Anyway, the resolution that I'm offering, and I have some delegates from the Central Council of Polish Organization here. I have Mr. Joe Borkowski who is President of the Central Council, Jean Zakrzewski who is Vice-President, and Joe Swider who is a delegate. Maybe you're not familiar with the Central Council but it is more or less the umbrella group of all the Polish organizations in Pittsburgh and surrounding areas. You have the Falcons and the Polish Roman Catholic Union of America; well, this group represents all of them, all these various fraternal associations send delegates to the Central Council.

Mr. Grabowski presents

Bill No. 1280 WHEREAS, the Central Council of Polish Organizations, located in Pittsburgh, Pennsylvania, will be celebrating the 365th Anniversary of the enfranchisement of the Jamestown Poles; and

WHEREAS, throughout history, the people of Poland have overcome what has been considered insurmountable odds in their strivings for basic human rights and human dignitv: and

WHEREAS, in 1619, the Polish citizens of the Jamestown Colony of Virginia were denied their right to vote; and

WHEREAS, these courageous people united in protest by refusing to work until accorded the same voting privileges enjoyed bv the English settlers; and

WHEREAS, on July 22, 1619, the government and legislature quickly realized their mistake and granted the Poles their voting rights, thus bringing about the enfranchisement of the Jamestown Poles; and

WHEREAS, the men and women of Poland have set a historic precedent in demonstrating to the world that peaceful action against oppression can be sucessful.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City Council hereby extend gratitude and commendation to the Central Council of Polish Organizations for their observance of the enfranchisement of the Jamestown Poles and for fostering and perpetuating the cultural history of Pittsburgh's ethnic population. And this Council wishes to join in celebrating the

joy and pride that this date brings to people of Polish nationality.

Mr. Grabowski moved to adopt the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

Michelle Madoff:

I don't speak the language but my father was born in Poland and there has been some question as to whether I have Polish heritage so I just wanted to clarify that. I think it's wonderful that Mr. Grabowski is doing this.

Mr. Grabowski:

I would just like to say one thing further. Since I am the sponsor of this resolution, I'm actually going to reserve the presentation until tomorrow when I am the guest speaker at Central Council's Annual Polish Day at Kennywood. Tomorrow I'll make that part of my presentation but perhaps Mr. Borkowski who is the President would like to make a few remarks.

Mr. Borkowski:

On behalf of Central Council, I really appreciate your courtesy here. I'd just like to acknowledge one fact, that when Governor Yardley in 1619 called the first assembly, democratic assembly on this continent, the Poles were denied the right to vote although they were sharing the work and labor with the English. However, the Poles being independent, they petitioned the Colonial government and also the Jamestown Colony government for the right to vote and they told the Governor, "We don't vote, we don't work." And they did not work for a while. A petition was granted to them but the significant part was that it said to be treated the same as the English. Even all girl's rights don't say that but here we had a petition that was granted officially but the Governor of the Jamestown Colony. Another significant part is that this was the first instance that the ethnic group like the Poles at that time won their rights, equal rights, the same as the English, without struggle, without shelling, without shedding any blood whatsoever.

This is Mary Sikora, a very active member of the Polish Falcons and also Central Council and Hattie Ziwicki is here also.

On behalf of Central Council we thank you for the acknowledgement of this deed which is not as yet acknowledged in our history books. Thank you very much.

Mr. Grabowski:

One thing I forgot to mention, Mr. Switer is the Vice-President of the Polish American Congress of Western Pennsylania and Jean is the State President of the Polish Women's Alliance. So, we have some very high-powered people here with us this morning.

The Chair:

Councilman Grabowski, I would be remiss if I didn't make a few comments. Being part of the ethnic fraternal movement in this country in which there are 10 million fraternalists in the United States and 1 million fraternalists in Pennsylvania, and coming from the South Side of Pittsburgh where we have the Polish Falcons and in front of that hall we have a historic landmark, I would be remiss if I didn't acknowledge the pursuit of human rights by the Polish for many years in Poland, then and now, under Lach Walesa and the solidarity

movement which has become a kind of hallmark for all people seeking human rights here today, as well the efforts of the Polish Americans in the early days in this country and even today supporting human rights for all. But equally we should not bypass the thought that there were many Polish generals who helped in the original Revolutionary War and I think the Polish Americans all need to be proud of their accomplishments in Poland and as well to their contributions to the American County and its well being.

Mr. Wagner presented

No. 1273 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 995 by changing the Out-Patient Clinic provisions in the "C3" Commercial District so as to exclude clinics that provides counseling services to persons who have been convicted of a sexual offense. **—(SPONSORED BY MR. WAGNER)**

Which was read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff:

Excuse me. Is that a bill we're going to address today?

The Chair:

No, that's only introduction today.

UNFINISHED BUSINESS

The Chair presents

No. 1189 Resolution reappointing Mr. George McComb of 1160 Stanton Terrace Avenue, Pittsburgh, PA 15201 to the Parking Authority for a term to expire December, 1988.

Which was read.

Also,

No. 1191 Resolution reappointing Mr. John Petrolias of 634 Smithfield Street, Pittsburgh, PA 15222 to the Parking Authority for a term to expire December, 1988.

Which was read.

Also,

No. 1193 Resolution reappointing Ms. Dorthea Mason of 932 Clarissa Street, Pittsburgh, PA 15219 to the Human Relations Commission for a term to expire March, 1988.

Which was read.

The Chair:

I'd like my remarks from last week on this reappointment to be included in the Minutes.

(MR. STONE'S REMARKS ON BILL NO. 1193, TUESDAY, 8/7/84)

Mr. Stone:

I have a question. Any good reason why you shouldn't be appointed to that Commission?

Mrs. Mason:

None that I know of.

Mr. Stone:

Dorthea, let me just say on behalf of all of us at Council that there will always be a lasting memory of your late and beloved husband, and our former President of City Council, but from my observation of both of you it's always been gratifying to me to find the both of

you always together, and while he was in the lead of it I always found that there was kind of a partnership between the two of you, and we of the City are gratified to have you continue the fine Mason work, and we hope that the future will be as continued in value and in love and respect as it's always been. Thank you very much.

(END - MR. STONE'S REMARKS)

Also,

No. 1195 Resolution reappointing Mr. William Gallagher of 1051 Welfer Street, Pittsburgh, PA 15217 to the Human Relations Commission for a term to expire March, 1988.

Which was read.

Also,

No. 1197 Resolution reappointing Ms. Constance Wellons of 120 Climax Avenue, Pittsburgh, PA 15210 to the Human Relations Commission for a term to expire March, 1988.

Which was read.

Also,

No. 1207 Resolution appointing Mr. Michael Gardner of 949 Greenfield Avenue, Pittsburgh, PA 15217 to the Housing Authority for a term to expire June, 1989.

Which was read.

Also,

No. 1209 Resolution appointing Ms. Stefani Ledewitz of 5132 Friendship Avenue, Pittsburgh, PA 15224 to the City Planning Commission for a term to expire January, 1990.

Which was read.

Also,

No. 1211 Resolution appointing Mr. Stanley Lowe of 151 Riverview Avenue, Pittsburgh, PA 15214 to the Board of Code Review for a term to expire December, 1987.

Which was read.

Also,

No. 1225 Resolution appointing Mr. James Burwell of 839 Eldora Place, Pittsburgh, PA 15210 to the Board of Code Review for a term to expire December, 1987.

Which was read.

Also,

No. 1233 Resolution reappointing Mr. John Mullen of 363 S. Highland, Pittsburgh, PA 15206 to the Board of Standards and Appeals for a term to expire June, 1988.

Which was read.

Mr. Woods moved to approve the appointments and reappointments.

Mr. Robinson seconded the motion.

Which motion prevailed.

Michelle Madoff:

I abstain and the reason if that I have in six years not been appointed to one Board or Commission and I think I'm the only member in the history of Council that the Administration is so terrified of.

REPORTS OF COMMITTEES

The Chair:

For the benefit of our viewers on cable TV, I made some comments prior to the beginning to the meeting. We are doing some rehabilitative work on Council's Chambers and we are presently meeting in the Mayor's Conference Room and we wish to thank the Mayor for consenting and permitting us to use the Conference Room during this time of inconvenience.

Mr. Woods moved to suspend Rule 8 for all Committees providing for the mailing of printed copies of all ordinances and resolutions to each member of Council at least 48 hours previous to their consideration by Council after the return of such papers from Committee.

Mr. Robinson seconded the motion.

Which motion prevailed.

Michelle Madoff:

I abstain and the reason I abstain is that we have a very large budget, folks, for the City Clerk and these bills are coming to us late all the time. There's no reason for it.

Mr. Woods presented

Bill No. 1274

Report of the Committee on Finance for August 7, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1098

A Resolution entitled, "Resolution transferring the amount of One Thousand ($1,000.00) Dollars from Code Account 1633, Materials to Code Account 1631, Miscellaneous Services; both Code Account are within the Bureau of Operations, Painting Division, Department of Public Works."

Which was read.

Also,

Bill No. 1103

A Resolution entitled, "Resolution providing for the transfer of funds in the amount of $70,000.00 from Code Account 1141, Index Code 114108, Salaries and Wages, to Code Account 1126-1, Index Code 112615, Premium Pay."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The aves and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1105

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of New Image Press in the amount of $679.36 in payment for the emergency purchase of July 4th printed programs furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1106

A Resolution entitled, "Resolution authorizing the transfer of funds from the Department of Parks and Recreation's Code Account 1808, Equipment, the amount of $2,500.00 to Code Account 1828-1, Point State Park Premium Pay."

Which was read.

Also,

Bill No. 1107

A Resolution entitled, "Resolution authorizing the transfer of the aggregate sum of $75,000.00 to the Maintenance Management System Trust Fund from the following accounts: Code Account 57-1 (005710) Retirement Severence Pay - Sick Leave in the Department of Finance the amount of $50,000.00, and from Code Account 1801 (180109) Miscellaneous Services in the Department of Parks and Recreation in the amount of $25,000.00; and providing for an Agreement or Agreements with Arthur Young to provide Professional Services in connection with the Maintenance Management System Project in the Department of Parks and Recreation and providing for the payment of cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of

Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1151

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Sonitrol Security Systems, in the amount of Two Thousand Five Hundred Sixty Nine ($2,569.00) Dollars, in payment of the installation and phone line drop charges for a security system for the McKinley Park Supervisor's Office and Maintenance Garage; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1152

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Tedco Construction Corporation in the amount of $31,817.64 in payment of work performed on the No. 10 and No. 12 Fire Stations, and the No. 5 Police Station; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1153

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Sherry & O'Leary, Incorporated in the amount of Nine Thousand Five Hundred Thirty Two ($9,532.00) Dollars, in payment for Extra Work being in addition to the original contract price of One Hundred Thirty Nine Thousand Two Hundred ($139,200.00) Dollars, on Controller's Contract Nos. 26770 & 26770-F, furnished for the benefit of the City in connection with the Renovation of Fowler Pool and Playground; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1154

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Allegheny Insulation Company, Incorporated (J. Albert Eastland, Vice President) in the amount of $5,640.00 in payment for an Emergency Contract for the removal of asbestos material existing within the West End Police/Fire/EMS Facility location at South Main Street; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1160

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of the U.S. Department of Labor in the amount of Thirty-two thousand seven hundred eighty-five dollars and forty-eight cents ($32,785.48) to return the CETA Program cash surplus and program income."

Which was read.

Also,

Bill No. 1161

A Resolution entitled, "Resolution authorizing the Mayor to issue and the City Controller to countersign a duplicate warrant to the same payee and in the same amount to replace the following warrant which was lost, stolen or inadvertently destroyed."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1162

A Resolution entitled, "Resolution transferring $1,300,000.00 Bond Fund, Unrestricted Cash, from the Department of Engineering and Construction to the Department of Public Works."

Which was read.

Also,

Bill No. 1163

A Resolution entitled, "Resolution transferring $62,000.00 from Code Account No. 44, Index Code 004408, Worker's Compensation, Department of Finance to the following Code Accounts within the Department of Finance."

Which was read.

Also,

Bill No. 1164

A Resolution entitled, "Resolution providing for a Contract or Contracts or use of existing Contracts for the furnishing, delivery, and installation of camera surveillance, hold-up and vault burglary alarm systems, and metal undercounter teller equipment, and teller chairs for the Cashier Office, Department of Finance; and a Contract or Contracts or use of existing Contracts for the furnishing, delivery, and installation of various workstations and files for various offices, Department of Finance; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1165

A Resolution entitled, "Resolution providing for a Contract or Contracts with Price Waterhouse and Company for the formulation of recommended street lighting policies for the City of Pittsburgh and also to evaluate alternative approaches to street lighting system maintenance at a total cost not to exceed twenty seven thousand dollars ($27,000.00), chargeable to and payable from Code Account 1063, Miscellaeous Services, Department of Finance."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1240

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Mario Noche, John Criss, and Salvator Chirico, in the amount of $600.00 for services rendered in conjunction with a design model built for Councilman Stephen Grabowski, without previous authority of law, chargeable to and payable from Code Account No. 1001-2, Salaries, Wages, and Services of Council."

Which was read.

Also,

Bill No. 1245

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Carlow College Center for Business, Society & Ethics, in the amount of $855.36 for professional services rendered to the Council Task Force on Investment Policies and Business Practices for March and April, 1984; payable from Code Account No. 1001-2, Services and Salaries of Council, As Needed, Index Code 100123)." —

(SPONSORED BY MR. ROBINSON)

Which was read.

Also,

Bill No. 1250

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Mackin Engineering Company (Italo V. Mackin, President) in the amount of $32,500.00 in payment of an Emergency Contract for Consulting Services to investigate grade variations of the recently completed 42" Saw Mill Run Relief Sewer prior to acceptance and providing for the payment thereof."

Which was read.

Also,

Bill No. 1251

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Nello Construction Company (Giullo Torriero, President) in the amount of $119,608.00 in payment for an Emergency Contract in connection with Phase I of the Remodeling of Council Offices; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1252

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Surv-Kap/Allied Manufacturing Company, Incorporated in the amount of Three Thousand Six Hundred Ninety Eight Dollars and Fifty Cents ($3,698.50), in payment for the emergency purchase of Monuments and Bench Marks to be used throughout the

City in conjunction with the placement of new sidewalks; and providing for the pavment thereof."

Which was read.

Also,

Bill No. 1253

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Wesco, 209 West General Robinson Street, Pittsburgh, Pennsylvania 15212, in the amount of $7,203.00, in payment for retrofitting two circuit breakers, current potentials, potentiometric transformers and circuit protectors, furnished for the benefit of the City in connection with the rehabilitation of the Highland Pump Station and providing for the payment thereof."

Which was read.

Also,

Bill No. 1254

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the Pittsburgh and Lake Erie Railroad Company, in the amount of $12,344.20 in partial payment of design and construction of a railroad crossing at 18th Street in relation to the South Side Riverfront Park; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1257

A Resolution entitled, "Resolution providing for the issuance of a $1,231.25 warrant in favor of Lorraine Albright & Wilma Eppihimer in settlement of claim for property damage and providing for the pavment thereof."

Which was read.

Also,

Bill No. 1258

A Resolution entitled, "Resolution providing for the issuance of a $822.00 warrant in favor of Bell of Pennsylvania in settlement of claim for property damage and providing for the pavment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The aves and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1259

A Resolution entitled, "Resolution transferring Two thousand five hundred dollars ($2,500.00) from Code Account

No. 1060, Index Code 106005, Salaries, Regular Employees, Department of Finance to Code Account 1061, Index Code 106104, Salaries, Temporary Employees, Department of Finance."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

Bill No. 1275

Report of the Committee on Public Works for August 7, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1099

A Resolution entitled, "Resolution amending the title and Section Nos. 1 and 2 of Resolution No. 561, approved June 28, 1984, effective July 12, 1984, entitled: "Vacating Idaho Way from Nebo Street to Josephine Street, Neffle Way from Nebo Street to Josephine Street, Vonark Way from Nebo Street to Josephine Street, and Nebo Street from the westerly line of Idaho Way to the easterly line of Vonark Way, in the 16th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1100

A Resolution entitled, "Resolution granting unto Dom J. Zullo, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a stairway and sidewalk over a portion of the right-of-way of Sunapee Way, in the 14th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1101

A Resolution entitled, "Resolution granting unto David A. Wright, Box 194A Wiley Road, Saxonburg Boulevard, Pittsburgh, Pennsylvania 16056, his administrators and assigns, the privilege and license to construct, maintain and use at his own cost and expense, four (4) Balconies over on a portion of the sidewalk of Suisman Street near James Street in the 23rd Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1235

A Resolution entitled, "Resolution granting unto Albert Miller, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a permanent awning over a portion of the sidewalk of 300 Knox Avenue in the 18th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1236

A Resolution entitled, "Resolution granting unto Sheetz, Inc., their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, three sidewalk vaults in a portion of the sidewalk of Oakland Avenue and Forbes Avenue in the 4th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1237

A Resolution entitled, "Resolution granting unto Corleone's Pizza, 1304 Fifth Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, loading doors in a portion of the sidewalk of 1304 Fifth Avenue in the 1st Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1238

A Resolution entitled, "Resolution granting unto DeWayne Murray Sr. their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a building encroachment in a portion of the sidewalk at 5341 Second Avenue in the 15th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The aves and noes were taken agreeably to law, and were:

Aves:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

Bill No. 1276

Report of the Committee on Planning, Housing and Development for August 7, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 998

A Resolution entitled, "Resolution providing for the issuance of Certificates of Appropriateness for exterior work on the residential structures in the Manchester Historic District at 1305 W. North Avenue (Block and Lot 7-C-3), 1109 Liverpool Street (Block and Lot 22-L-298), 1104-06 Warlo Street (Block and Lot 22-L-298a and b), 1420-22 Rush Street (Block and Lot 22-K-136 and 134), 1240 Liverpool Street (Block and Lot 22-L-260), 1322-34 Columbus Avenue (Block and Lot 22-F-237 and 238), 1332-34 Columbus Avenue (Block and Lot 22-F-244 and 245), 1401 Page Street (Block and Lot 7-B-158) and 1110 Bidwell Street (Block and Lot 22-R-187 and 186) in the 21st Ward. Also providing for the issuance of Certificates of Appropriateness for exterior work on the commercial structure at 506 W. North Avenue (Block and Lot 23-N-66) in the Mexican War Streets Historic District in the 22nd Ward. Also providing for the issuance of Certificates of Appropriateness for exterior work on the commerical structures at 115 Forbes Avenue (Block and Lot 1-D-132) and 433 Market Street (Block and Lot 1-1D-145) in the Market Square Historic District in the 1st Ward. Also providing for the issuance of a Certificate of Appropriateness for exterior work on the individual historic landmark, the Allegheny County Courthouse (Block and Lot 2-E-251) located in the 2nd Ward.

Which was read.

Also,

Bill No. 1246

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Perry Hilltop Citizens Council for administrative assistance in organizing, marketing, and capacity building of the Agency in implementing its community development programs."

Which was read.

Also,

Bill No. 1247

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a consultant or consultants for the implementation of the "North Side Employment Program", at a cost not to exceed $10,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 1277

Report of the Committee on General Services for August 7, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1034

A Resolution entitled, "Resolution providing for the letting, during the calendar year of 1985, of Contracts and for the use of existing Contracts, for the maintenance, rental, inspection, or servicing of personal property and for the maintenance and repair of buildings, structures or any other properties in the custody of the various departments of the City of Pittsburgh, and for the miscellaneous services in and for all departments of the City of Pittsburgh, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1035

A Resolution entitled, "Resolution providing for the letting of Contracts and use of existing Contracts for the materials, general supplies and equipment for use by the several departments of the City of Pittsburgh, during the caldendar year 1985, and providing for the payment of the cost thereof."

Which was read.

Mr. Wagner:

Mr. President, I'd like to comment on Bill 1035. In a letter dated August 2, 1984 to all Councilmembers from Mr. Jacoby, it was stated in one paragraph an alternative method of keeping Council informed regarding City contracts would be for the Department of General Services to provide Council with monthly updates of City contracts. This could be initiated immediately without any delays to the purchasing process. I would suggest with this bill that the General Services Department and Mr. Jacoby begin to provide a monthly report to Council on all contracts.

The problem that exists today as all of us know is that we allocate a certain dollar figure for a particular contract or to enter into contract for services or to purchase a piece of equipment. The problem is that we seldom know until after the fact to whom that contract was awarded and whether or not it was the lowest bidder.

There's also another item in question and that is the request for proposals, who they are being sent to. I think one way to address that problem is what Mr. Jacoby is suggesting in his letter, that he provide this Council with a monthly report indicating to whom those contracts were awarded and at

what dollar value and also whether or not they were the lowest bidder.

I would further suggest and intend to follow this up with legislation in the future, that requests for proposals for all contracts in this City be sent to all City based companies. I think that we are somehow missing some of our City based companies and I'm sure there is some type of a business directory in this City indicating each and every company that provides a service or piece of equipment, the type that we would be purchasing. I think each and every company that is located in the City of Pittsburgh should be receiving a request for proposal. I am further suggesting that and will follow that up with legislation in the future.

Michelle Madoff:

May I respond, please? Mr. Wagner, I have a super idea. Why don't we dissolve Council and we can get everything at the end of the month in a memo telling us what monies were spent because that's essentially what's going to happen here. We just voted earlier today on a pittance, $1,000 for something and $300 for something else, and $600 here for something else. We could just do that at the end of the month, the Budget Office could just send us a memo and tell us why we're paving it. I mean, what do we need a Council for? I want to be here, I want to discuss those expenditures, I want to know the issue that Mr. Robinson has raised repeatedly and repeatedly, not after the fact but before the fact. Has everybody had fair access, minorities and women? And for us to allocate $13 million to Mr. Jacoby's department to let us know after the fact in a report how it was done is absolutely not satisfactory. It is no different than the other items we vote on and it doesn't take a lot of time.

Mr. O'Malley:

First of all, I think Bill 1035 should be broken down into two parts. I think we asked for that two weeks ago. The price of equipment under $5,000 where there doesn't necessarily have to be a bid and purchase of equipment and supplies over $5,000.

I'm going to vote against Bill 1035 for a number of reasons. One, I don't think the Supplies Department orders equipment in excess of $5,000 in a matter of days. Ordering equipment in excess of $5,000 takes a number of weeks or at least a number of months to get competitive bidding if indeed they're going into competitive bidding. I sit on an authority who expends over $20 million a year and at our board meetings the Executive Director presents us with the list of all supplies in excess of $4,000, all the bidders to tha contract, the lowest bidder the contract was awarded to, and if it wasn't awarded to the lowest bidder in excess of $5,000 why it wasn't awarded to that lowest bidder and what reason was given to the next bidder.

I think we've had some problems with the Supplies Department in the past where we've seen them paving three and four times for retail. These are for small items, $50 - $100 - $200 - $300. I'm not so sure that that problem has been corrected to my satisfaction and I am not willing to give the Supplies Department the authority to go out and purchase equipment in excess of $5,000 where in the past they have been paving three and four times for retail.

I'm going to give a negative vote on Bill 1035.

Michelle Madoff:

May I comment, please? One of

the other games that is reported in this article - it blew my mind - was that when we say even under $5,000, Mr. O'Malley, what they can do on small purchases is issue many small amounts, like somebody once gave a President $1 million but sat down a lot of checks. What they can do is break down the items. If we said say, $2,000 was acceptable, they could take a $10,000 order, break it down, and issue the order in small increments to the same people. We're had unless every bill comes before us and we can start to see some pattern developing, who's getting the contracts.

There's another issue that we should be discussing at this point called letter bids. Certain favored people, Councilman Wagner, get letters delivered to them requesting their bids. You're absolutely on target; they don't go to everybody.

If we let this thing go because of vacation time, because we're breaking, and say - and I flew back here for this meeting today because there was no way I was going to let my garage bill be gutted, I did not know this bill was up today and I'm glad I came back and brought that article which I had saved for Mr. Flaherty and for Mr. Jacoby who I'm sure will be interested in reading the kind of scandel we can have here if we vote for this bill.

We've really abdicated our responsibilities. I think it needs more discussion; I don't think we should put it through. Why are they in such an all-fire hurry to get this $13 million to handle at their own discretion? Is it to play footsie with people who maybe are very favorable inclined towards certain people in the Administration when elections come up? I want to see a pattern. I want to see whether it's developing as a pattern. And we all know if the same name comes up what we're seeing.

The Chair:

Number one, this is not for vacation, this is for 1985.

Michelle Madoff:

I understand that. I want to stop it permanently.

The Chair:

But it doesn't even apply to this vacation. That's my point.

Michelle Madoff:

I'm talking about our voting on it before this vacation.

Mr. Robinson:

Mr. President and members of Council, last year when this bill was presented to Council I opposed it and the Record will reflect my reason for doing so. I think if Council will go back about two years when Director Yatch was involved with the Department of Supplies, the change from $2,500 to $5,000 was introduced into Council. I think the results that Director Yatch indicated we would receive from increasing the amount from $2,500 to $5,000 have not accrued to the City nor do I believe the rationale that he gave at that time for one to change the $2,500 to $5,000 holds any water today. I think given the attempt on the part of the Administration and this Council to revamp our purchasing procedures would dictate that a bill such as 1035 probably needs to be studied a lot further before we give authorization to the Department of General Services. I don't think it's a question of Mr. Jacoby or anyone on his staff doing anything improper; I think it relates to us making a very serious attempt to make sure that whatever we purchase is the best product at the

lowest possible price and that our procedures are ones that everyone can have some confidence in and that the procedures are credible. I think proceeding with 1035 at this point would be incorrect.

Councilman Wagner's suggestion and I would assume that perhaps he's going to put that in the form of a motion, does begin to approach the issue of Council having the appropriate involvement in purchases for the City of Pittsburgh but as 1035 is presently written I have the same objections that I had in 1983 and like Councilman O'Malley, I'm unable to support Council Bill 1035.

Mr. O'Malley:

I vote no. I don't feel this Council should give up the authority it has to check purchases or the authority to go out on purchases over $5,000. I don't think it would take any extra time on the part of the Purchasing Department and members of this Council to know who received the bids over $5,000, who was involved in the bidding process, and what's most important, what process was used to secure those bids. I think this Council has every right to have that information on every purchase over $5,000. I vote no on Bill 1035.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. Wagner	(Pres't)

AYES 5 NOES 3

(MICHELLE MADOFF, MR. O'MALLEY AND MR. ROBINSON VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1036

A Resolution entitled, "Resolution providing for advertising for proposals for equipment for use by the several departments of the City of Pittsburgh during the calendar year 1985."

Which was read.

Michelle Madoff:

I would like to take the first three bills for discussion. On Bill Nos. 1034, 1035, and 1036, I have been away trying to rest my vocal cords and this isn't going to do much good.

The Chair:

Just take more time, Michelle. Don't worry about it.

Michelle Madoff:

Oh, I plan to take all the time I need, Mr. Stone.

I would like to point out that in the Sunday, August 5th edition of the Washington Post, I have been in Virginia and the paper does get there, the headline story, and I wish Mr. Flahertv were here today or somebody from his office, savs in the District purchasing is chaotic and costly and as you can see it

is devoting three full pages to the story. It addresses exactly the issue that is before us on these bills and I would like to read to you a couple of quick quotes from the Washington Post.

"Small purchases in the District or our orders under $10,000 a day per vendor that individual agency can make on their own without going through a formal competitive bidding process that is advertised and generally open to any interested bidder." It goes on and this is the part of interest. "All the D.C. agency buyer has to do before placing an order for a small purchase is solicit the bill, informal bids or price quotations from three vendors or contractors. No other jurisdiction surveyed allows such leeway. Most require formal advertised bidding for purchases above $5,000. Even more importantly, most jurisdictions surveyed limited the amount individual agencies can spend at one time to $300 without going through a central purchasing office in order to take advantage of volume discounts."

I think that when we have an item of $13 million, and this Council's job is really window-dressing. In every other aspect it gives us a forum in which to raise human interest and human problems, but basically what we are is a legislative branch and what we do is review supposedly every line item, every financial spending for the City, every dollar for the City. I don't think it's any great hardship for items to come before us and that $13 million in purchasing and not to give that authority to our purchasing office. I don't want Pittsburgh to be three pages and that is what will happen because that $13 million will never see the light of day in this Council. We will never have the right, as was pointed out; I think Mr. O'Malley said, "Does that come before us?" or Mr. Wagner, you asked the question last time, and we were told, "No." Once we vote for this bill, this Council will never again see where that money is spent or how it's spent and like the money we went out for bonds one year for $70 million, we voted for one thing but they decided to buy Eazor and then there was just a change. They make their own changes in their own departments.

So, I have a vehement opposition to that bill and I would hope my colleagues would consider — They were elected as legislators, they were elected to review each item, and to vote on the bills and for the dollars and to do so would be abdicating your duties.

I'd like to take vote on those three separately if we may.

The Chair:

Clerk, call the roll on these three bills.

Michelle Madoff:

On the three bills I vote no because even if we started to address it as Councilman Robinson has pointed out and we do what Mr. Wagner has suggested because I think Mr. Wagner is really trying to find some solution to the problem, it will nevertheless be after the fact, not before the fact. I don't want to be told after. I've voted to allocate that kind of money, $13 million to Supplies, how it was spent; I want to know as they're spending it whether I approve it. My vote is a definite no.

Mrs. Masloff:

I vote aye with Mr. Wagner's suggestion.

Mr. Wagner:

Along with my vote on this

legislation, I would like the City Clerk to send a letter to Mr. Jacoby indicating that that monthly report should begin indicating all contracts, whether or not the lowest bidder was given the contract and if not, why. I vote aye.

Mr. Woods:

I vote aye because Supplies and General Services has indicated that they will comply with the letter they had sent to Mr. Wagner and all Councilmembers.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1104

A Resolution entitled, "Resolution providing for the letting of a contract or contracts; or for the use of existing contracts for the purchase and delivery of Remote Base Stations, Two Way UHF Mobile Radios Etc. for the General Services, Radio Shop, Code Account 4-30-01-0001-83 (SD 83-01), Index Code 370106, Miscellaneous Equipment, for payment thereof."

Which was read.

Also,

Bill No. 1241

A Resolution entitled, "Resolution amending Resolution No. 432, approved May 21, 1984, effective May 30, 1984, entitled: 'A Resolution providing for the letting of a contract or contracts, or for the use of existing contracts for the purchase and delivery of two rescue truck modules for the Department of Emergency Medical Services,' by increasing the authorized amount from $60,000.00 to $68,570.00 and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Malley presented

Bill No. 1278

Report of the Committee on Public Safety for August 7, 1984 transmitting one resolution and one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1242

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Center for Emergency Medicine of Western Pennsylvania for medical operations direction in connection with the Department of Emergency Medical Services, at a cost not to exceed $25,000.00, chargeable to and payable from Code Account EMSTPP, Emergency Medical Services Third Party Payer Trust Fund, Index Code 251959."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 904

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title Seven - Business Licensing, Article VII, Service Business, Chapter 763, Parking Lots, by amending the safety requirements for the licensing and operation of open and enclosed parking lots." **—(SPONSORED BY MR. GRABOWSKI)**

Which was read.

Michelle Madoff:

Mr. President —

Mr. Grabowski:

Could I interrupt?

Michelle Madoff:

No, I don't yield the floor.

Mr. Grabowski:

Let her go.

Michelle Madoff:

"Her" is not "Her"; she is Michelle Madoff, she's your colleague.

I had occasion to speak to Mr. Grabowski by telephone. My aide who did most of the research on this bill also spoke with Mr. Grabowski. My understanding from Mr. Grabowski, and I want to be sure that we understand accurately what is at question here, is that Mr. Grabowski felt in his conversation with me that he wished to

amend the bill under the guise of extending the security in garages from 15-1/2 hours to 16 hours, that's a half-hour difference. My feeling was that he was trying to gut my bill and that's my gut feeling, and what he was asking and told me that what he felt was unnecessary was to have different guards than the people who are already employed by the garage. In other words, somebody who takes the money or somebody not uniformed or somebody who cleans up or anybody could indeed be the person that patrols the garage.

I would like the courtesy of a response from Mr. Grabowski to find am I correct in that. One last question; this is the original bill, these are your original amendments dated June 11th and these are additional amendments. Is that correct? Or are these the only amendments you choose to make? It is very confusing. Would you clarify that for me please?

Mr. Grabowski:

To your assumption of what I am trying to do, you had it pretty well. That is exactly what I am trying to do. The amendments I'm offering to the legislation today are in this form and this form only.

Michelle Madoff:

You are not going to follow through on your other amendments? You're tabling those completely?

Mr. Grabowski:

The other amendments were to another bill that has nothing to do with what we're voting on today.

Michelle Madoff:

Fine. So we're dealing only with these two amendments.

The Chair:

The ony amendments are 904.

Michelle Madoff:

Okay. Would you please clarify for me because I've read the bill over and over again, I've been with my aide for hours, and we can't quite understand since you've just confirmed that you wish to have people who are patrolling the garages who are not uniformed, which I believe to be a deterrent, where do you state that? Would you clarify that for me please? Which item —

Mr. Grabowski:

Mr. President, it would be my intent to take the amendments first and then get into the legislation as amended. That's what I wanted to do earlier.

Michelle Madoff:

I just wanted to be sure that I understood it. That's what I was establishing.

Mr. Grabowski:

Here are the amendments; I think I made it pretty clear.

With respect to the amendments, Mr. President, the first amendment that I'm offering to the original legislation deals with if we in fact do pass this bill I would like to incorporate the provision that the garage operators must post the hours in which they intend to operate. If they would like to change those hours they must notify the Bureau of Building Inspection.

The second amendment on this

sheet is merely technical in nature. It's correcting the language that was inserted by —

The Chair:

Excuse me, Mr. Grabowski, if I may. If I'm understanding your amendment so far, you're adding an extra half-hour and you're saying that the hours would be posted in case —

Mr. Grabowski:

This amendment on this page just merely adds the requirement that those hours must be posted.

The second amendment is merely technical in nature. It's trying to correct an inequity in the bill Councilwoman Madoff presented, Ordinance No. 17 I think, on June 4th. She failed to take some of the language out and this puts the language back in for the purpose of deleting which is somewhat confusing but the Law Department agrees that it has to be done this way.

So, I make the motion and then we can get into the bill.

Mr. O'Malley seconded the motion.

Michelle Madoff:

We have not clarified. I have much to discuss.

On the two amendments, Mr. Grabowski, you have just told me that you confirmed my understanding of the bill, that you wish to do away with guards patrolling, they don't have to be guards, they can be anyone. Where do you say that?

Mr. Grabowski:

The amendments do not deal with that. The amendments deal with language that will be inserted into this original bill.

Michelle Madoff:

What was the conversation we had on the telephone about the guards not having to be uniformed or anybody could do it. Where is that?

Mr. Grabowski:

We can get into that after we amend it. Let's amend it first. Let's amend this bill and then get into the heart of it.

Michelle Madoff:

I'm sorry. You can't amend a bill until you make a motion to amend it.

The Chair:

He made that motion.

Let the Chair tell you all where you are right now.

Michelle Madoff:

I don't know where we are.

The Chair:

Well, if you'll just wait I might try to explain it to you.

First of all, I have a motion to amend the bill as it is right now. That amendment covers the thing that was just given to you. That's the only two amendments at this time to the bill.

Michelle Madoff:

My question then to Mr. Grabowski is where do you have the amendment to the guards?

Mr. Grabowski:

It's in the bill. We'll get into that after we move on these amendments. The amendments have nothing to do with the guards.

The Chair:

These are two amendments which he is making today. We're only dealing with these two amendments.

Michelle Madoff:

And you're not planning to deal with the guards today?

Mr. Grabowski:

We will after we incorporate these amendments.

Michelle Madoff:

You mean if we incorporate these amendments.

Okay. I wish to discuss these two amendments.

On the first amendment, Item 763.04. You wish to make the bill more secure, you claim, by going from 15-1/2 to 16 hours but you wish to let the individual garage have its own discretion as to when that 16 hours should be. Is that correct?

Mr. Grabowski:

The amendment deals with the posting of hours. That's all. Read this; it only mentions the posting of hours.

Michelle Madoff:

I read it. But you said they may come to the inspector and tell them which 16 hours that they wish.

The Chair:

That's in the original bill, Michelle. All he's doing is adding something to it which says that they licensed officer must know what they are. You can't change without going back to it. It's a good amendment.

Michelle Madoff:

Alright. My personal position is, and it has always been, that that guard should be on duty 24 hours a day. If they do not have protection 24 hours a day the garage should be closed down.

Mr. Grabowski, have you ever looked at these? Do you know what they are? Did you speak to our Inspector when you came up with these motions?

The Chair:

Michelle, excuse me. We are dealing with —

Michelle Madoff:

I'm talking about these two motions. Did he discuss them with our Inspector of Garages?

The Chair:

The only question is any discussion on whether you have any objections to the fact that notice shall be given to the licensed officer. That's all he's saying. In fact, it's a good one; I'm at a loss to understand why we're fighting this one.

Michelle Madoff:

Mr. Stone, my conversation, which Mr. Grabowski just confirmed, was that he was coming in today —

The Chair:

Myself and the rest of Council are not privy to what you two discussed.

Michelle Madoff:

That's why I'm sharing it with you. Unlike my other colleagues who have little private meetings in the back room, I do not and I'm just sharing all the information with you.

The Chair:

And I'm just sharing with you that we now have two amendments before us and that's the only thing we're going to talk about right now.

Michelle Madoff:

Well I want to know how any amendment could be made at this point to the bill, first of all on my bill while I'm away; secondly, without even speaking to the Inspector to see whether it's a good idea, who also is away; and first citations, 17 citations on 17 different garages were to be sent but they were not sent because there was not enough staff. I don't see why we are doing anything to amend this bill at all at this point.

Mr. Woods:

Mr. President, if I may. The first amendment he is offering today simply states — Michelle, please bear with me for one moment; it's a good one. He is stating that the garage owner or operator must state in writing a sign on his facility saying we have surveillance from this time to that time, 16 hours a day and security personnel to walk you to and from your car during these hours. That' a good amendment. So when you park in there, right when you're pulling in you'll see that from 12:00 maybe until 12:00 the next day you will have security there. He is posting that.

Michelle Madoff:

I understand that. I'm also —

Mr. Woods:

Please let me finish. If we could please move on that amendment then we can get into the heart of what you want to discuss. His other amendments he had proposed and we discussed last Tuesday.

Michelle Madoff:

That was the original question I asked. The question I asked was were we going today to be discussing the other amendments that were introduced last Tuesday. Mr. Grabowski said no.

The Chair:

No, that's not what he said and that's not what I said. We told you we'll handle these amendments and then we would get to the main bill.

Michelle Madoff:

And then we're going to handle all the others; is that correct, Mr. Grabowski?

The Chair:

That's exactly what's been said four times.

Mr. Grabowski:

We're going to get into the heart of the bill after we move on these amendments.

Michelle Madoff:

Wait, wait, just one moment.

Then you're going to go back to your other amendments? Is that correct? You said no.

The Chair:

He's going to go back to the original bill as amended.

Mr. Grabowski:

The only amendments I'm offering are these amendments.

Michelle Madoff:

At this moment. But you're going to, when we get back into the bill, offer the other amendments.

Mr. Grabowski:

Once we move on these then we're going to get into this bill that's in our file copies.

Michelle Madoff:

Which includes your amendments.

The Chair:

Correct.

Michelle Madoff:

That's the question I asked and you said, "No, they were not." You had tabled them.

I think it's inappropriate to move on those two bills until we discuss all of it. Let me explain why.

If you're going to post a sign saying we will have service from 12 to 12 or whatever 16 hours may be, they may not be the hours that are going to be conducive to the concerns of the department store owners who met with us and the garage owners who met with us, particularly the department store owners and business people who felt that people will not come in from the suburbs to park on off-peak hours. The problem is not peak hours. Peak hours, when people are going to work, when the store people are going in —

Mr. Woods:

That doesn't deal with the hours. All that amendment says is that the hours will be posted. The hours you're talking about is going to come up after we move on this amendment. All he's saying is whatever hours they may be, if they're 24 hours a day, they'll be posted, if it's two hours, whatever. It doesn't deal with the number of hours or the actual times. But they will be posted.

Michelle Madoff:

I have no problem with anybody posting. As a matter of fact, I strongly supported Councilman O'Malley in his bill on posting gasoline prices. Posting is not the issue. Gutting of the bill is the issue.

Mr. Woods:

Can we move on these two amendments?

The Chair:

All in favor? Opposed?

Michelle Madoff:

I abstain.

Mr. Wagner:

I'd just like to make one comment on this amendment. The 16 hours per day under this amendment could be flexible versus the other set hours. Under that amendment, those 16 hours

could apply to a greater period of time in latitude than under the goal as orginally suggested and could therefore provide time in the morning prior to 10:30 a.m. when people using those garage facilities could be provided some protection.

The Chair:

Or later in the evening, depending on the peak hours.

The only thing we're talking about now is that whatever it is you must notify the licensed officer. That's the only amendment.

WHICH MOTION PREVAILED.

The Chair:

It passes. We'll now move to the bill as amended.

Michelle Madoff:

Okay, on the bill as amended, I want to ask Mr. Grabowski some questions.

Mr. Grabowski, were you aware that 17 citations were being issued, and they were not issued I might add, because the Department just didn't have staff, to the following garages: Alco Parking, gross violations, William Penn Parking, Joseph La Pia at Gateway Center, William Penn Parking, Liberty Parking, Gimbels Bros. Inc. Parking, Horne's Parking, May Department Store Parking. I could go on and on and on.

Are you aware, have you ever looked at our files to see the number of complaints we've had from people who have been raped, mugged, who do not wish to go to the police because they feel there would be a stigma in their personal lives?

Mr. Grabowski:

No, I've never looked at your file.

Michelle Madoff:

Well, if you'd ask to look at the we would always be happy to share them.

Did you meet with Mr. Brian Hill of the Bureau of Building Inspection who is going through all the garages and as you know, one of the problems we had which came up in Council earlier, is that I had just amended the bill myself. Council remembers that we had a public hearing and we really softened the bill tremendously just to get something going to get it improved and the day the bill passed this Council we had a ranist reported in the paper going out and having attacked four women. I think that helped us get the bill through; I'm not so sure the bill would have gone through with our friends, I have certain friends in garages. So, my question to you is, did you ever meet with Mr. Brian Hill?

Mr. Grabowski:

No I never have.

Michelle Madoff:

Do you know that we have an inspector?

Mr. Grabowski:

Yes.

Michelle Madoff:

Why would we want to amend the bill when I already amended the issue of reporting the data? One of the things we did not have in the original bill by an oversight was when they pressed the detects somebody could be out having a

corned beef sandwich and just giving some written data we had to have a mechanism set up whereby that information would be turned in to the official inspector or the police or so on. That has now been taken care of and that is why we held off sending the warnings because you couldn't accuse somebody of doing something wrong when they didn't know where to send the material.

The first reports are starting to come in and what I had asked Mr. Brian Hill to do was not to cite anybody but to give them another warning to be fair. We bent over backwards to be fair.

The Chair:

Michelle, excuse me. Which part of his amendment are you objecting to?

Michelle Madoff:

I'm objecting to the entire amendments that he introduced on Tuesday.

The Chair:

Can I bring it down just a little bit? As far as the hours, as I indicated earlier, I'm at a loss to understand where you're —

Michelle Madoff:

I want the hours to be 24 hours.

The Chair:

But you had it at 16, 15-1/2.

Michelle Madoff:

He's making it 16 and I'm saying 24.

The Chair:

Wait, wait, let me back up for a minute. The old bill as you put it and we passed it, was 15-1/2 hours, from 10 a.m. until 1:30.

Michelle Madoff:

Right.

The Chair:

What he is doing and he makes two conditions which I think get you either the same thing or better. What he is saying is that instead of that it's 16 hours, that's one extra half-hour, and he's saying, and watch the language, that during peak business hours, they're key phrases, and what he is saying in effect is that if a particular garage, for some particular reason, has earlier need for security or later need for security then you can flex the hours and the next thing he added today is that must be posted. That would seem to be in line with what you did if not better.

Michelle Madoff:

My problem, Mr. Stone, is that — and we worked on it for a year and a half — was that it may be cheaper to hire people during what the garage owner considers the peak hours. However, peak hours are not our problem. When people are going to work at 10:00 at a department store and people are coming in to shop at 10:00 you're relatively safe. When people are leaving the store in the evening, you're safe. But at four o'clock in the afternoon on a Saturday, when you go to a garage you are not safe. You are terrified. And that may not be the time that the owner considers a peak time.

I understand where you're coming from. You're saying he's saying we'll

make it an extra half-hour and we'll post it. I have no problem with that. That's logical. We want to make the bill as tough as we can make it.

My concern, and I have some questions for Mr. Grabowski, is that did you speak to any of the garage owners about your proposal?

Mr. Grabowski:

Yes, I spoke to many of them.

Michelle Madoff:

Are they owners who are in compliance?

Mr. Grabowski:

I did not check to see if they are in compliance.

Michelle Madoff:

Well let me inform you they are not. They're all in violation. I believe every one of them is in violation. To be in compliance is costly.

What we're doing is making it appear under the guise of I'm trying to improve this bill by having the hours posted that that is separate and apart from the entire bill. You cannot take this bill really piecemeal because if those 16 hours, and I'll go with Mr. Grabowski's 16 hours, do not happen to coincide with two in the morning or one in the morning because the garage doesn't have a lot of business at that hour which really makes a client vulnerable, somebody who's parking there vulnerable, should there be a sign posted which says you park under your own risk? My feedback has been twofold; it's been contradictory; that you cannot post a sign saying we do not have liability because if you do that it's like saying to somebody in your home if you come into my house and you break a foot I'm not responsible. You are responsible. Just by denying responsibility doesn't take care of it. I'm saying if a garage wants to be open 24 hours a day then they should have a guard 24 hours a day. If they're going to be open 16 hours a day that they have a guard 16 hours a day. I have no objections to the posting of the time, obviously.

We have been waiting and the reason we haven't amended the bill to strengthen it is for information to come back such as what arrived on our desk by a woman about to deliver a baby who works in the Inspection Department and was kind enough to hand deliver to us the gross violations by the garage owners. I think that your trying to pass this bill while I was away or amend the bill while I was away is really not the way things should be done among colleagues.

Mr. Grabowski:

Mr. President, maybe the approach we should take is since I'm the one offering the amendments maybe I should explain the bill to Council and then whoever wants to discuss it we can do it at that point. I think that's the way we should have proceeded in the beginning.

The Chair:

Proceed.

Mr. Grabowski:

Alright. Everyone was here except Councilman Wagner and myself when this legislation was initially introduced and passed by Council. The main intent at that time was to improve security by one, requiring surveillance and two, by setting the minimum standards for lighting. That was the

main intent of your legislation.

Michelle Madoff:

Excuse me, I didn't hear the first item.

Mr. Grabowski:

Listen, okay?

Michelle Madoff:

My aide asked me something.

Mr. Grabowski:

The main intent of the legislation, your original legislation, was to improve security by one, requiring surveillance and two, by requiring a minimum amount of lighting.

Michelle Madoff:

That's correct. It was a compromise.

Mr. Grabowski:

Okay. I'm not touching the aspect of the lighting. What I differ with is the aspect pertaining to the surveillance.

Michelle Madoff:

Fine.

Mr. Grabowski:

In the original legislation, the surveillance has to be provided either by a) video, someone monitoring video cameras; or b) by someone physically travelling throughout the garage once every half-hour and verifying their presence by virtue of the detex machine. You also stated that that person must be a security guard. I disagree that a security guard has to provide that surveillance. Why does it have to be a security guard? Couldn't Steve Grabowski be sitting there in an office watching those videos and see a breach of security on the fourth floor and call the police or go to aid? Or couldn't I physically as a non-guard make the rounds in the garage once every half-hour to verify that everything is in compliance? That is the first change.

Michelle Madoff:

Let's deal with that one. I would like to deal with that one first; that's the biggie.

Are you saying that our Police Department, Superintendent Coll and Pat McNamara, are a waste of the taxpayers' dollars? Maybe we don't need uniformed policemen, we don't need guards in uniform, that they're not a deterrent? I mean if a man walking around or a woman walking around as a policeperson is not in uniform they have the same effect as someone in uniform?

Mr. Grabowski:

I'm sure that a plain clothes detective is a great deterrent to a drug runner or —

Michelle Madoff:

But that's not to someone going into a garage and seeing a visible person in uniform.

Another item that I haven't brought back yet was an article on a study where they're apologizing for the use of cameras. They find cameras are proven to be totally ineffective, particularly in housing authorities and in garages because the person who is taking the money cannot be the same person sitting there looking at the television cameras. You can't do two things at

once and do it properly.

We also found that the reason the garage owners and the department store owners felt that cameras were not the right way to go is that you couldn't get into corners and you couldn't see because of natural obstructions. I wanted to have some kind of a sound detector hidden in lights that nobody would know was there and we found that there were distortions in that.

The camera was not the correct way to go. Even the owners felt that particularly under the pressure of the editorials and the support of the media that they should have armed guards. Are you aware that guards are trained for a minimum of 35 hours?

Mr. Grabowski:

Yes.

Michelle Madoff:

Why would you want someone who wasn't trained?

Mr. Grabowski:

Because 35 hours is not much training.

Michelle Madoff:

It's certainly a lot better than no hours of training. You don't think somebody learns something in 35 hours?

Mr. Grabowski:

You don't think that you would know a breach of security if you saw it? What training do you need?

Michelle Madoff:

I'll tell you, Mr. Grabowski, that at 110 pounds there's not much I could do about a breach of security. But a guard with a gun or somebody with authority or somebody who appears to have authority is going to be a deterrent. Michelle Madoff at 110 pounds is not going to be a deterrent. Having someone go through the garage, anyone in the employ of the garage owner, could be as I said earlier a nephew who is going to be paid $8.00 a week for some spending money or a niece getting lollipops who is going to run through and press some paraphernalia to say they were there. I want a visible guard and let me give you some examples. I went into a hospital, I have patrolled personally about 20 garages and one of the garages when I was going to the hospital I went in the garage and said, "Where's your security guard?" He said, "Oh, they're at the other garage." They were sharing a security guard.

These violations which you better look at and better study before you amend your bill show that we don't have enough protection, even with the armed guards. These haven't even gone out. And do you know who the biggest offenders are? The City's own garages and the ones we lease them to.

Mr. Grabowski:

Do you want to talk about those violations? I discussed it with your aide Friday. Most of those issues pertain to directional arrows not being placed on the walls and signs pertaining to exits not being there.

Michelle Madoff:

Surveillance. Surveillance. Surveillance. Maybe you ought to read them before you amend the bill.

Mr. Grabowski:

Surveillance by the guards, right?

Michelle Madoff:

That is correct. The point I'm making is that the surveillance has to be improved. We sent a warning letter out telling them they had to be improved, the time had to be improved, and I think to take out an armed guard is to be gutting the bill entirely. To take out someone in uniform —

Mr. Grabowski:

There's no provision in the bill for an armed guard.

Michelle Madoff:

We're going to strengthen the bill. I told you earlier we got what we could but —

Mr. Grabowski:

Don't try to mislead Council because armed guards —

Michelle Madoff:

You're saying a uniformed guard, you don't need a uniformed guard. You say a camera will do the job.

Mr. Grabowski:

You said a camera will do the job.

The Chair:

Wait, Michelle. That's why I'm misunderstanding what's happening here. In your original bill, you called for the circuit camera.

Michelle Madoff:

They had a choice.

The Chair:

That's not my point. In your bill, it has either the TV or the guards. You're accusing him of putting it in and he's not. It was in your original bill.

Michelle Madoff:

Mr. Stone, you're misunderstanding.

The Chair:

No, I totally understand.

Michelle Madoff:

I said the reason we have not amended the bill and upgraded the bill is because we were working with the Inspector which Mr. Grabowski did not do —

The Chair:

Yes, but the bill that he is amending is only including what you put in the bill.

Michelle Madoff:

Mr. Grabowski is taking out uniformed guards. Did you hear that?

The Chair:

That part. But you're objecting to him putting in surveillance by virtue of closed circuit TV. That was in your bill.

Michelle Madoff:

They have a choice of having either surveillance by guards or by camera but the persons doing the camera cannot be the same people who do other jobs. I believe that is in the bill.

Mr. Grabowski:

It is.

Michelle Madoff:

Okay. Now, in my conversations with Mr. Grabowski which I'm sure he'll share with you, he has said it could be anybody that works in the garage and I'm saying that if you take the person away from collecting the money and doing other things to be the guard, the guard incidentally, I don't want to mention the department store because I don't want to get anybody upset, but the guards in many cases are not even on the floor, the uniformed guards, which are a deterrent. I asked why the guard wasn't there and they said, "Well, the guard also comes down to check to make sure the cashier's office is safe, that they're not going to rob the cashier." You cannot put this guard through a Xerox machine.

I am going to propose on my bill, and if you sat down and waited, as I asked you, until the Fall when we could have worked something out, that we completely eliminate the use of the cameras because they've been proven in many studies to be absolutely ineffective, and go to guards only and extend the hours to 24 hours or post a sign saying, and I have told this to Mr. Grabowski in our conversation, that we are not responsible, park at your own risk. There's some question of constitutionality; I was waiting for a response on that.

What it boils down to, ladies and gentlemen, is that I've asked Mr. Grabowski to hold on the bill until the Fall and he would not hold on it until we got back. We were holding on it because we had so much more information that we needed that was not available, including the first warnings that went out because information was not clear as to where they would turn that information in and because now we're getting our first sign of how the garages are not complying, the first citations were only warnings; we're now going to start going after them very seriously. We've tried to be fair; we've bent over backwards. We've gone to the bone. You're now trying to take the bones and chop them up.

Again, I ask that this bill be held. We could go back to the Fall and anything that has to be done, perhaps even another hearing because Mr. Grabowski's speaking to Merrill Stabile of the William Penn Garage and Harry Sheppard of the Stanwix Garage. Is that correct? Mr. Jack Barret of Kaufmann's. These are the fox in charge of the chicken coop. They're not going to say, "We agree with you, Michelle; we should have armed guards or they should be in uniform." They're going to say, "Sure, anybody can do it." I strongly object to watering down the bill. And that's what it boils down to in any way you phrase it.

Mr. Grabowski:

I disagree that we're watering down the bill but I'd like to respond to the remark you said about me not willing to hold this bill. I introduced this on June 11th and at your request I held it for futher research and comments.

Michelle Madoff:

And I explained to you why we did not proceed with the bill because these were delivered by a woman about to give birth today.

Mr. Grabowski:

Don't say I didn't hold it; at your request I held it.

Michelle Madoff:

But I asked you to hold it again until Fall. I'm explaining why we're not ready to proceed on the bill. We did a year and a half research on the bill. We're not ready to proceed on it now because the first notifications are going out and what you're saying is that they already got caught in the warnings and they're saying, "Gee, do something, help us out of this spot." and we'll say, "Well, we'll help you out, you don't have to have a uniformed guard; after all, uniforms really don't mean anything." I think uniforms and the guards are the gut issue. Take a survey of the public of whether they're going to feel more secure if there's somebody with a uniform or whether they're going to feel less secure by not even knowing whether somebody's gone through and pressed a detects instrument.

The women are sitting here going like this because we know what it's like. And the elderly people who came to me and my escort and said will you walk us to the garage. And Judge Finkelhor was hit on the head. We know what it's all about. And I hate to think of anybody not caring about a member of their family or friends going into a garage and not having a uniformed guard. The one thing I said I would not waive on, I will waive on lighting before I'd waive on a uniformed guard, and the lighting is ineffective. We wanted 10 foot candles, they said 3 and we compromised at 5 just to get something going. We want uniformed guards. This Council voted for uniformed guards and I don't want to water that bill down. That's the gut of the bill.

Mrs. Masloff:

Does the ordinance say uniformed guards?

Michelle Madoff:

Yes.

Mrs. Masloff:

Or surveillance?

Michelle Madoff:

Yes.

Mr. Grabowski:

Surveillance has to be provided by uniformed guards right now. I want to change it to permit the garage personnel to supply the surveillance.

Mrs. Masloff:

So that they're sitting in front of a surveillance camera whether they have a uniform on or not. Is that the point?

Michelle Madoff:

No, they're not sitting in front of a television camera, Sophie. I'm sure you go out occasionally, Councilwoman Masloff, and you've seen these uniformed guards, have you not?

Mrs. Masloff:

Of course.

Michelle Madoff:

Don't they make you feel a little more secure?

Mrs. Masloff:

I'm asking Mr. Grabowski the question.

Mr. Grabowski:

Alright, right now the surveillance

is the law that Council adopted several months ago, surveillance has to be provided either by a uniformed guard watching a video camera or that uniformed guard making the rounds throughout the parking lot verifying his presence once every half-hour by virtue of the detects.

To me, I see no reason why the garage personnel cannot provide that same amount of security.

The Chair:

Who is in uniform.

Mr. Grabowski:

In uniform, right.

Mr. Woods:

Steve, you better stress that because you didn't take uniformed out. It's still in there.

Mr. Grabowski:

Yes, it's a uniformed garage personnel.

Mr. Woods:

I don't think everyone understands that clearly.

Mr. Grabowski:

Well, the guard is the issue here.

Michelle Madoff:

That's the issue. Let's not camouflage it with a lot of other things. The issue is that I want a guard that is in uniform. That was my bill; that's what this Council voted on.

Mr. Grabowski:

The other provision is relative to the hours.

Michelle Madoff:

The hours I have no problem with because you're saying 15 and 16 and posting it I have no problem with but I'm saying that we will be again reviewing and as I stated, I got the best bill I could get at the time and that we were going to upgrade the bill. We can't upgrade it until the first warnings went out; we couldn't upgrade it until the first citations went out and we have been working with the Inspector all along and to take uniformed guards out would be really gutting the bill in its entirety. While you were gracious enough to wait the first time on the bill, I'm asking you to do the same thing and not touch the bill until we see what comes back. I want to sit down with you once we know from the inspection person, Mr. Hill, and from the first citations issued what kind of compliance we're getting; we're getting very token compliance and they're just not doing the job.

The Chair:

The Chair sees that we're starting to get into repetitive matters now and I think we'll cease the discussion on it and go one way or the other on the bill.

Mrs. Masloff:

Can I ask one question? Steve, did you say that they're in uniform, whether it's security or garage personnel?

The Chair:

Right. In either event they're uniformed.

Michelle Madoff:

Well, if somebodv sees something on a television camera and they go to help, thev're at least in a uniform and they look official. But I'm going to eventually introduce that we eliminate the cameras.

Mr. Grabowski:

Mr. President, may I continue? There's actually a third amendment that is merely cleaning up some language in Ordinance 17 pertaining to the lighting. I'm adding the wording simply so we can delete it. We have to show somewhere that this language came out and it's simply carrying forth the intent of Ordinance 17, that was Michelle's ordinance passed, I think, June 4th.

The last amendment, I would like to incorporate a provision that would permit the Bureau of Building Inspection to grant a waiver to any garage operator if they can prove to the license officer that there are so many entrances and exits that it's not feasible to have them all surveyed. In granting this waiver, the Bureau of Building Inspection shall require them to post which entrances and exits will not be surveyed.

Michelle Madoff:

I would strongly oppose that on the basis that if you cannot have your guard then close down that door. That's what some garages do. They put metal gates at the door where they don't want people coming in and out. If you're going to offer service and make money on it, vou have to offer minimum security. It is not acceptable to sav, "We'll just let vou know where you can get raped and mugged so don't use that entrance, use the other." You're still saying, especially if you're also doing away with the armed guards, "Come on in and we'll tell you which gates are not being inspected." You're almost giving a notice to people who are up to no good which gates to enter. It would seem to me that from listening to you Mr. Grabowski, that I cannot understand why you would want to worry about the garage owners pocketbook and not the security of the public.

We had an unprecedented hearing on a hearing held by Mr. Stone —

The Chair:

We approved the bill at that time.

Michelle Madoff:

Right, and I think that the feeling of this Council was to have security. I cannot believe that you're sitting here saying that you want to weaken this bill by letting people come in through exits, just by posting a sign saying I wouldn't adivse you using this even though it will save you ten minutes walking around the block because we don't have a guard here or we're not surveilling on this particular entrance.

The Allegheny Mall garage is a nightmare. If they don't want to have enough people for surveillance for that garage, then close down some of your exits and close some hours. But we're not going to have the lives of senior citizens and women endangered anymore. I've gone into Kaufmann's and a young woman was brought to me with a black mark on her neck where she had been strangled that morning. This was one of our other garages. She had been robbed three days before and if you look at the folders which I'll be happy to share with you, the editorials and articles talk about Christmas shopping and people's cars. It isn't only physical damage; people save to buy their gifts at Christmas or at various holidays and

people are breaking into cars.

You are gutting this bill; you are gutting the bill.

Mr. Grabowski:

No, I'm not; I'm merely expending the provision that's already in there for a waiver.

Michelle Madoff:

No, you're saying that as far as you're concerned, if they can't supply surveillance at all the doors because it too unwieldy they just have to get an okay from our inspection that they don't have to do it and you're also saying that they shouldn't wear uniforms which acts as a deterrent. In 90 percent of the cases that has been proven. We had experts in the field of surveillance. Experts. People who work in that field helped to draw this bill up.

Mr. Grabowski:

You mentioned pocketbook a few moments ago. Let me read an excerpt to you from a Committee Meeting of July 18.

Michelle Madoff:

I'm not worried about pocketbooks; I said robbing of cars.

Mr. Grabowski:

No, you mentioned pocketbooks.

Michelle Madoff:

I didn't say pocketbooks at all. Do you want to read it back? I did not say pocketbooks.

Mr. Grabowski:

Yes you did. But let me just read this excerpt. We're discussing the sticker parking program for Oakland; we're talking about parking lots in Oakland:

"Michelle Madoff: There aren't any.

The Chair: There's one at Forbes and Semple and the lot is not loaded.

Michelle Madoff: I have been there many times and I have not been able to get in and it is also very expensive."

That's a point that you make, that the parking garages are very expensive to park.

Michelle Madoff:

But we're talking in relationship to what?

Mr. Grabowski:

The cost of running those parking lots is what dictates the price the operators charge.

Michelle Madoff:

So now you're speaking for the operators? You admit you're speaking for the operators? Now we have it on the table; that's what I suspected all along. I didn't want to make an accusation for liable but you've made your own accusation.

Now, yes, garages are costly but it's a lot cheaper than going in and getting mugged somewhere if there's a guard. The reason I choose the street, or if I was a resident living in the area, I would want to park on the street every

day as opposed to going in a garage. Comparatively that is expensive. You're distorting what I said.

Mr. Grabowski:

I'm reading from the transcript.

Michelle Madoff:

Yes, but what I meant, and you know what I meant, is that somebody living there, getting a parking sticker every day would be cheaper to park in front of their place with a sticker at $10 a year than going into an expensive garage. All garages are expensive. We all use them because we don't have any choice. I parked across the road occasionally and it's $6 or $8 a day which is outrageous but why do I park there — and I don't need Mr. Stabile to have the kids yell at the top of their lungs, "She can park here for free." I don't want his freebies. I don't want his freebies. Do you understand what I'm saying clearly? I don't want anything from the owners; I want to protect the public.

The Chair:

Have you finished all your amendment?

Mr. Grabowski:

That's it.

Michelle Madoff:

I can't believe that any member of this Council is going to weaken this bill.

The Chair:

I have a motion and a second. Call the question.

Michelle Madoff:

Are we going to vote on each amendment separately because some of them are innocuous and some of them are important? The ones that weaken the bill are the ones I do not want in. I'm not worried about a half-hour to make it look like he's helping something because we'll change that to 24 hours later anyway.

The Chair:

On the bill I have a motion and a second.

Michelle Madoff:

Who seconded the bill?

Mr. Woods:

You don't have to second it; it's up for final action.

Michelle Madoff:

Colleagues, I ask you, you voted for this bill after two hearings. The public's voice was heard. I have records, if you like I'll read them, of the number of attacks and rapes in the various garages.

The Chair:

Michelle, we've gone through this. It's time to vote now.

Michelle Madoff:

I'm asking you please not to water down the bill by not having security guards in uniform and by not having sufficient guards so that we exempt people with various exits which is what the bill is all about, not the little innocuous things that are being presented to distract us from the real issue.

The Chair:

We're voting on 904 and the Clerk will call the roll.

Mr. O'Malley:

I think this is one of the most important issue to come up in front of this Council certainly in the past few months. In fact, I wish it wouldn't have come up. I think it's too important of a bill and too important amendments to be rushed. I'm going to vote no.

Mr. Robinson:

I agree with Mr. O'Malley. I think that unfortunately this issue is too important perhaps for us to attempt to do this prior to taking vacation. Mr. Stone said the bill is before us now and unfortunately we have not had the opportunity to perhaps consider it at a later date. Given all the discussion that has been held today, I think the circumstances surrounding the original introduction of this legislation, at this point I'm compelled to vote no.

Mr. Wagner:

I've discussed this bill with Mr. Grabowski and he has incorporated some of my suggestions in with the changes. I vote aye.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. Wagner	(Pres't)

AYES 5 NOES 3

(MICHELLE MADOFF, MR. O'MALLEY AND MR. ROBINSON VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Michelle Madoff:

Excuse me, for the Record.

The Chair:

There's no Record.

Michelle Madoff:

This is not the end of this bill. We may have lost the battle but we're going to continue this war.

Mr. Wagner presented

Bill No. 1279

Report of the Committee on Engineering and Construction for August 7, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1155

A Resolution entitled, "Resolution amending Resolution No. 933, approved September 24, 1981, effective October 1, 1981, entitled: 'Providing for an Agreement or Agreements with a Consultant or Consultants for

Professional Engineering Services in connection with Wall and Arch Repair at Filtration Plant; and providing for the payment of the cost thereof,' by providing for a Supplemental Agreement or Agreements and by increasing the total allocation by $11,000.00."

Which was read.

Also,

Bill No. 1156

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Ackenheil and Associates, Geo Systems, Incorporated (Dr. Alfred C. Ackenheil, President), for Geotechnical Soil Engineering Services at various sites, including but not limited to Norte Way, Kilbuck Road (Riverview Park), Marietta Street, Springarden Ballfield and Stanton Avenue Distressed Slope (Highland Park); and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1157

A Resolution entitled, "Resolution providing for an Agreement or Agreements with M.R.M. Engineers, P.C. (M.R. Mikkilineni, owner) for Construction Inspection Services on an as-needed basis; and providing for the payment of the cost thereof."

Which was read.

Mr. Robinson:

Mr. President and members of Council, I have a concern about Council Bill 1157. Perhaps the Chair can clarify it for me. The funds to pay M.R.M. Engineers will come from the Grant Street Trust Fund. Is my understanding correct that monies in that Grant Street Trust Fund can only be used for repair or for services relative to the reconstruction of Grant Street?

The Chair:

That would be my impression. If it's in a trust fund it's entrusted for certain reasons and I would assume that's it.

Mr. Robinson:

Is it possible to transfer monies out of that trust fund to be used to reconstruct other streets in the City?

The Chair:

I'd be inclined to say no for the reason that in that trust fund I believe there is federal and state and local matching monies.

Mr. Robinson:

The reason I raised that is in reviewing some supporting documents I got the impression that perhaps M.R.M. Engineers might be employed to do other work for the City, other professional work, and that they might be paid out of that Grant Street Trust Fund. I just want to be clear —

The Chair:

It would surprise me if it were. They only thing that I might foresee is if some of that with the subway may be part of the federal program. Maybe but I doubt it but since it's the Grant Street Trust Fund I assume it deals with Grant Street only.

Mr. Wagner:

Mr. President, during the last hour

Mr. Robinson's raising a good question and Mr. D'Alessandro researched a letter that was sent to various contractors that bid on this consultant contract and there is some confusion because in the letter it states the City of Pittsburgh intends to have construction inspection service performed by a consultant on an as needed basis on various construction projects located within the City of Pittsburgh. However, this letter is sent specifically in regard to Grant Street and unfortunately I did not catch this or we did not catch this during Committee Meeting and we could have had the Director of that department clarify the question that has been raised. According to this letter, its in conflict with the legislation. So, it's an important question Mr. Robinson is raising and we really don't have an answer.

The Chair:

It sounds like it's a generic thing but —

Mr. Robinson:

Mr. President, if I might. Perhaps the conflict is that the bid information that was sent out does relate to all streets, that's part is correct. But this specific contract which is done by Council Bill 1157 is only for the Grant Street work at this point and therefore M.R.M. Engineers, while they're going to be paid to do the Grant Street work out of the Grant Street Trust Fund are then eligible to do other work around the City to be paid out of the appropriate funds. We basically know the other agencies the government will be working with, we know the source of funding and if this is a professional services contract, we're probably in better shape to estimate what that would cost than we would be able to estimate perhaps the cost of concrete.

I just think it's somewhat of a strange procedure to hire a professional consultant on an as needed basis for a major project when we know we're going to need engineers. To my knowledge, we've never done that before and my concern is that the engineers understand what we're doing and that this is the best thing for us to do. I think the other companies that were contacted, at least the ones that I could see have done work for us before, we've always hired them for a total project. If indeed there's a possibility that we're only going to need these engineers for one or two portions of the project, shouldn't we have hired maybe three or four engineering firms and just give each of them a specific portion of the work and gone on? I don't know what the total inherent cost is going to be for professional services on that project but I would say that $40,000 is probably a small portion of it, that the engineering consultant fees on there probably are going to run as high as $100,000.

The Chair:

Do you want to wait until we get Mr. McDermott for an answer?

Mr. Robinson:

Let me refer to Mr. Wagner, if I might, or refer to him in this regard.

Mr. Wagner:

I think Mr. Robinson is raising some excellent questions. It appears to me as if there is some confusion between these two pieces of literature. I'm thinking out loud and I'm wondering if we should not amend this piece of legislation so that this contract pertains specifically to Grant Street. The reason why I'm stating that is that it would clarify it much better and eliminate any confusion that appears to exist.

Mr. Robinson:

I think if we do that we're also going to have to probably have Mr. McDermott or someone on his staff give us some idea of how the $40,000 figure can be adjusted. I would assume that that $40,000 figure is based on the as needed provision that if indeed it's related to all of Grant Street the cost is probably going to be much higher.

The Chair:

It may be that phase, Bill. That's what I'm not sure of.

Mr. Woods:

Why don't we take a five minute recess or something until Mr. McDermott or somebody from his department gets here?

The Chair:

The Chair is in this position, just so we understand it. They may need this bill and it may not be a problem. So, rather than pass it without the information and rather than delay it until September when they may need it, I sent down for Mr. McDermott so let's take a five minute break and then come back.

Mr. Grabowski:

Mr. President, could we get that information from Mr. McDermott during the recess? I would object if he were here during our meeting debating this so let's get it during the recess portion, please.

The Chair:

The Chair will exercise that bit of information so it will come from me and not from him.

And on the motion of **Mr. Woods**

Council recessed.

And the time of recess having expired, Council reconvened and there were present:

PRESENT:

Mrs. Masloff	Mr. Wagner
Mr. O'Malley	Mr. Woods
Mr. Robinson	Mr. Stone (Pres't)

The Chair:

If I may, this meeting has reconvened again. I have received the explanation from our Construction and Engineering Department and they indicate that originally what they had done in the letter was to request proposals on an as needed basis for consultants throughout the City on various projects. As it turns out, however, on this particular project, the only monies available is the Grant Street Trust Fund and the only project that's going to be worked on is the Grant Street Trust Fund projects and it's only Phase I of that particular construction.

Mr. Robinson:

Does that mean that when we go out on Phase II or III or however many more phases there are, that there will be another request for proposal procedure?

Mr. McDermott:

Yes, that would be correct.

Mr. Woods:

This $40,000 is strictly for Grant Street.

The Chair:

Yes, that's the only project they're working on. Does that satisfy you, Mr. Robinson?

Mr. Robinson:

Yes, I'm satisfied but I think Mr. Wagner had a couple other questions.

The Chair:

I don't know where he's at; they said he was coming up. I think he was concerned about your questions more than anything else.

Mr. Woods:

I believe he wanted to amend the bill saying that this money could only be used on Grant Street. So that answers his question.

The Chair:

Mr. Wagner, we've been told that it's Grant Street only. The only work they're going to work on is Phase I and it covers Grant Street project and only from Grant Street Trust Fund.

Mr. Wagner:

I'd like to amend this to have it read for Grant Street Project only, Phase I.

The Chair:

Can I make a suggestion? Can we do that with a letter on it? It's Council's intent that it be Grant Street only.

Also,

Bill No. 1158

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the Reconstruction of Phipps Conservatory - Phase II, and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1159

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the Rehabilitation of the Burgwin Pool Basin and Filter; and providing for the cost thereof."

Which was read.

Also,

Bill No. 1255

A Resolution entitled, "Resolution further amending Resolution No. 1210, effective January 1, 1984, entitled: 'Resolution adopting and approving the 1984 Capital Budget and the 1984 Community Development Block Grant Program; and approving the 1984 through 1988 Capital Improvement Program,' by increasing a line item and by adjusting the Summary Totals."

Which was read.

Also,

Bill No. 1256

A Resolution entitled, "Resolution amending Resolution No. 814, effective August 25, 1980, entitled: 'Providing for an Agreement or Agreements with various railroads for the design and construction of a railroad crossing at the South Side Riverfront Park; and providing for the payment of the cost

thereof,' by decreasing the total allocation by $140,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mrs. Masloff	Mr. Wagner
Mr. O'Malley	Mr. Woods
Mr. Robinson	Mr. Stone (Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Woods moved to excuse Mr. Givens for absence from the meeting.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Woods moved to approve the Minutes of Monday, July 23, 1984 and Monday, July 30, 1984.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. Woods moved to adjourn until Tuesday, September 4, 1984 at 2:00 p.m.

Mrs. Masloff seconded the motion.

And on the motion of **Mr. Woods**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Thursday, September 6, 1984 No. 34

Municipal Record

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Thursday, September 6, 1984

PRESENT:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods (Pres't Pro tem)

ABSENT:

Mr. Stone

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Givens presented

No. 1281 Resolution vacating Denver Street from the East line of Gomez Way to the West line of Dover Street, and abandoning the 6-inch water line located therein after it is cut, plugged and concrete blocked by and at the expense of the Goal Company, owner of the abutting property, in the 5th Ward of the City of Pittsburgh. The petitioners have requested this vacation for the purpose of increasing the number of parking spaces available to the tenants of the building they own.

Also,

No. 1282 Resolution amending Res. No. 303, appr. April 9, 1984, eff. April 9, 1984, eff. April 24, 1984, which is presently entitled, "Granting unto L.D. Astorino & Associates, Ltd., their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense a sidewalk encroachment in a portion of the sidewalk of Liberty Avenue at Market Street in the 1st Ward of the City of Pittsburgh.

Also,

No. 1283 Resolution accepting the dedication of property at the eastern end of Gem Way, to be used for a turn-a-round for a more fluid flow of traffic, in the 10th Ward, City of Pittsburgh.

Also,

No. 1284 Communication from

Robert Lewis, Deputy Director, Dept. of Environmental Services, requesting authorization for himself, Phyllis Gibson, Coordinator, Rodent Control Program, and Barry McMeekin, Acting Foreman of Animal Control to attend the Pennsylvania Vector Control Association Annual Meeting on September 12-14, 1984, at the Philadelphia Centre Hotel, Philadelphia, Pa., at a cost not to exceed $1,050.00, payable from the Rodent Control Program Account.

Also,

No. 1285 Communication from Louis R. Gaetano, Director, Dept. of Public Works, requesting authorization for Frank Gigliotti, Superintendent, and John Tortorete, Chief Mechanic, Dept. of Public Works, to attend the 1984 APWA/ISWA International Congress & Equipment Show to be held in Philadelphia, Pa., on September 14-18, 1984, at a cost not to exceed $1,800.00, payable from Code Account No. 1610, Misc. Services, Bureau of Operations, Dept. of Public Works.

Which were severally read and referred to the Committee on Public Works.

Mr. O'Malley presented

No. 1286 Communication from Charles Lewis, Chief, requesting authorization for John Moran, Deputy Chief, Eugene Thomas, Deputy Chief, Battalion Chief Robert Conley, Captain Thomas Hitchings, and Captian Gilbert Westphall to attend the Gasoline Tank Truck Emergency Response Seminar/Workshop in Greensburg, Pa., on September 8, 1984, at a cost not to exceed $150.00, payable from Code Account No. 1463, Misc. Services. Permission is also reqested for use of a Fire Department vehicle.

Which was read and referred to the Committee on Public Safety.

Mrs. Masloff presented

No. 1287 Resolution authorizing the issuance of a warrant in favor of Allied Security Inc., in the amount of $813.66 in payment for guard services furnished for the benefit of the City, chargeable to and payable from Code Account, Special Parks Program Trust Fund (254359), Dept. of Parks and Recreation.

Also,

No. 1288 Resolution authorizing the transfer of funds from the Dept. of Parks and Recreation's Code Account 1803 (180307), Utilities, the amount of $50,000.00 to Code Account 1800-1 (180018), Bureau of Administration Premium Pay. These funds are necessary to pay employees premium pay in the Bureau of Administration.

Which were read and referred to the Committee on Finance.

Also,

No. 1289 Resolution providing for the letting of a Contract or Contracts or for the use of existing Contracts for the furnishing and delivery of one (1) Brush Chipper for the Dept. of Parks and Recreation, at a cost not to exceed $11,561.00, chargeable to and payable from Code Account 1808, (180802), Equipment, Dept. of Parks and Recreation.

Which was read and referred to the Committee on General Services.

Also,

No. 1290 Resolution providing for a lease or leases and/or License

Agreement for the use of the facilities at 200 Tabor Street as a Community Recreation Center, at a cost not exceed $8,400.00, chargeable to and payable from the Dept. of Parks and Recreation's Code Account 1801, (180109), Misc. Services.

Also,

No. 1291 Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting authorization for Pauline Penix, Recreation Leader II, to travel to the YMCA Camp Kon-O-Kwee, R.D. #1, Fombell, Pa., on Sept. 5-7, 1984, at a cost not to exceed $80.00, payable from Code Account No. 1843, (184309), Senior Citizens Program.

Also,

No. 1292 Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting authorization for Alicia Riley, Special Recreation Leader Part-time, to travel to the YMCA Camp Kon-O-Kwee, R.D. #1, Fombell, Pa., on Sept. 10-12, 1984, at a cost not to exceed $80.00, payable from Code Account No. 1843, (184309), Senior Citizens Program.

Also,

No. 1293 Communication from Louise R. Brown, Director, Dept. of Parks & Recreation, requesting authorization for herself to attend the 1984 Congress for Recreation & Parks in Orlando, Florida, October 20-23, 1984, at a cost not to exceed $1,190.00, payable from Code Account No. 1801, Misc. Services, (180109).

Also,

No. 1294 Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting authorization for Francis Pizzi, Florist at the Pittsburgh Aviary, to attend the 1984 Fourth Annual Meeting of the Association of Zoological Horticulture in Countryside, Illinois, Sept. 18-22, 1984, at a cost not to exceed $820.00, payable from the Aviary Trust Fund, Bureau of Administration, Dept. of Parks and Recreation.

Michelle Madoff:

Discussion on that. On the bill with reference to the Aviary. I had politely requested and I've asked Councilwoman Masloff to pursue the investigating of our selling our surplus birds. I have a friend who works in the Aviary as a dossant and she's come back to me and said that it's unbelievable. All the aviaries across the country are making money selling the surplus birds and we have more than anybody else; it seems that they're breeding very rapidly. What I do is get stalled by being told that we're trading off rare birds with other birds but it's gone beyond that; it's become a bird farm and that there's a tremendous amount of money to be made that could help offset perhaps some of programs for youth or whatever needy things that we need and before that person goes off, you know we're voting money for them to go somewhere, maybe we should spend that money better doing something about selling the birds.

The Chair, Pro tem:

Thank you.

Also,

No. 1295 Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting authorization for Howard Hayes to travel to Miami, Florida, to attend the 60th

Annual American Association of Zoological Parks and Aquariums Conference, Sept. 9-13, 1984, at a cost not to exceed $1,150.00, payable from Code Account No. 1852, Misc. Services, (185207).

Also,

No. 1296 Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting authorization for Carl A. Mancuso to attend the National Recreation & Parks Association's 1984 Congress for Parks & Recreation in Orlando, Florida, October 20-24, 1984, at a cost not to exceed $1,190.00, payable from Code Account No. 1838, Misc. Services, Bureau of Recreational Activities, (183806), Dept. of Parks and Recreation.

Also,

No. 1297 Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting authorization for Jennie Miller, Program Coordinator III, and Diane Roth, Program Coordinator II, to attend the 6th Annual New York Renaissance Fair in Tuxedo Park, New York, on September 8, 1984, at no cost to the City of Pittsburgh.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 1298 Communication from Robert H. Lurcott, Director, Dept. of City Planning, requesting authorization for Caroline Boyce to attend a meeting on the required Advisory Council on Historic Preservation review of the rehabilitation plans of the Stanley Theatre in Washington, D.C., on August 27-28, 1984, at a cost not to exceed $300.00, payable from Code Account No. 1103, Misc. Services.

Also,

No. 1299 Communication from Paul C. Brophy, Director, Executive Director, Urban Redevelopment Authority of Pittsburgh, submitting a copy of the URA's certified "Financial Statements" dated December 31, 1983.

Also,

No. 1300 Communication from Paul C. Brophy, Director, Urban Redevelopment Authority of Pittsburgh, submitting a report of positions and salaries as of June 30, 1984.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 1301 Resolution providing for the issuance of a warrant in favor of Pugliano Construction Co., in the amount of $3,550.00, in payment for extra work being in addition to the original contract price of $527,500.00 on Controller's Contract No. 26716, furnished for the benefit of the City in connection with the general contract at the new Riverview Park Pool & Bathhouse, payable from Code Account RPTF - Riverview Park Trust Fund, Index Code #254003.

Which was read and referred to the Committee on Finance.

Also,

No. 1302 Resolution amending Res. No. 83, appr. Sept. 24, 1982, and eff. Oct. 8, 1982, entitled: "A Resolution providing for a Contract or Contracts for the reconstruction of the McArdle Roadway and the replacement

of the McArdle Roadway Bridge, from the Liberty Bridge to Grandview Avenue including necessary work on private property and other work incidental thereto; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Dept. of Transportation; and providing for the payment of the cost thereof" by additionally providing for reimbursement by the City of Pittsburgh to the Commonwealth Department of Transportation for work performed by the Commonwealth.

Also,

No. 1303 Resolution providing for a Contract or Contracts for the Repaving of Roseanne Avenue from Younger Avenue to Cul-de-Sac, including work on private property and other work incidental thereto, at a cost not to exceed $200,000.00, chargeable to and payable from Code Account PW 84-27, 4-13-10-0300-84, Index Code #306951.

Also,

No. 1304 Resolution providing for an Agreement or Agreements with the Pittsburgh Center for the Arts to implement the design of modification to the Center's facilities for the removal of architectural barriers for the handicapped, at a cost not to exceed $20,000.00, chargeable to and payable from Code Account CDEC 84-68, 4-13-95-0002-84-39-84-13, Public Building Access by Handicapped.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Wagner for Mr. Woods presented

No. 1305 Resolution providing for the issuance of a $2,850.00 warrant in favor of Lorenz Avenue, Baptist Church in full settlement of claim for property damage due to a water main break on January 20, 1984, payable from Code Account No. 46, Judgments, Index Code #004606.

Also,

No. 1306 Resolution providing for the issuance of a $1,298.43 warrant in favor of Adolph Sufrin, Inc., in full settlement of claim for property damage due to a water break at 5770 Baum Boulevard on December 28, 1983, payable from Code Account No. 46, Judgments, Index Code #004606.

Also,

No. 1308 Resolution transferring the sum of $15,000.00 from Code Account 1051-2, Index Code 105122, Computer Installation & Maintenance, Dept. of City Controller, to Code Account 1051, Index Code 105106, Equipment, Dept. of City Controller. The transfer will provide sufficient funds to cover current and future expenditures for the remainder of 1984.

Also,

No. 1309 Resolution transferring $40,000.00 from Code Account No. 57 (005702), Social Security Fund, Dept. of Finance, to Code Account No. 1100 (110007), Misc. Services, Dept. of Personnel and Civil Service Commission. This Resolution is necessary for the impending expenses of medical examinations ($23,000) for the hiring of a Police Class this year; and for future specialized professional labor relations consulting services ($17,000).

Also,

No. 1307 Resolution providing for the issuance of a $5,216.38 warrant in favor of Barry & Edvige Chersky in

settlement of claim for property damage due to a water break on January 21, 1984 at 979 Woodbine Street, payable from Code Account No. 46, Judgments, Index Code #004606.

Also,

No. 1310 Resolution amending Res. No. 917, appr. October 10, 1983, eff. October 27, 1983, entitled: "Providing for the City Controller to enter into a Contract or Contracts, or for the use of existing Contracts, to purchase hardware from Honeywell Information Systems, Inc.," to increase the amount allocated from $130,000.00 to $150,000.00, chargeable to and payable from Code Account, C.F.M.I.S. - Controller's Financial Management Information System, Index Code 250654.

Also,

No. 1311 Resolution providing for the City Controller and the Director of General Services to enter into a Contract or Contracts, to purchase and install work stations, carpeting and chairs for Fiscal & Performance Auditors' Offices, at a cost not to exceed $40,000.00, chargeable to and payable from Code Account No. 1051, Controller's Equipment Account, Index Code #105106.

Also,

No. 1312 Resolution providing for the City Controller to enter into a Contract or Contracts with Peat, Marwick, Mitchell & Company for software and software implementation of a Fixed Asset & Control System, at a cost not to exceed $100,000.00, chargeable to and payable from Code Account C.F.M.I.S. - (Controller's Financial Management Information System, Index Code #250654.

Also,

No. 1313 Resolution amending Res. No. 71, appr. February 16, 1984, entitled: "Providing for an Agreement or Agreements with a Physician or Physicians, for professional services in connection with the examination of candidates for employment such as police officers, firefighters, paramedics, school crossing guards, and extra helpers," by increasing the allocated amount from $4,000.00 to $7,000.00, chargeable to and payable from Code Account No. 1100 (110007), Misc. Services, Dept. of Personnel and Civil Service Commission.

Also,

No. 1314 Resolution amending Res. No. 74, appr. Feb. 16, 1984, eff. Feb. 24, 1984, entitled: "Providing for an Agreement or Agreements with various hospitals and/or physicians for professional services in connection with the Administration and evaluation of medical examinations and tests for the Civil Service Commission's Medical Examination Program for Police Officer candidates, Firefighter candidates, and other candidates for employment and promotion," by increasing the allocated amount from $30,000.00 to $50,000.00, chargeable to and payable from Code Account No. 1100 (110007), Misc Services, Dept. of Personnel and Civil Service Commission.

Also,

No. 1315 Resolution amending Res. No. 493, appr. June 14, 1984, entitled: "Providing for an Agreement or Agreements for specialized professional services in connection with conduct of negotiations and arbitration proceedings including labor relations advice, representation at negotiating meetings and economic and job evaluation advice,

and related personnel matters," by increasing the allocated amount from $20,000.00 to $37,000.00, chargeable to and payable from Code Account No. 1100 (110007), Misc. Services, Dept. of Personnel and Civil Service Commission.

Also,

No. 1316 Resolution authorizing the Mayor and the Director of the Dept. of Finance, on behalf of the City of Pittsburgh, County of Allegheny and School District of Pgh., to transfer its right, title and interest, if any, for certain Three Taxing Bodies' properties in the 24th Ward of the City of Pittsburgh to the Pennsylvania Dept. of Transportation. Deeds to be in quit claim form for the total consideration of $8,750.00.

Also,

No. 1317 Resolution providing for the filing of a petition for the exoneration of taxes and transfer of properties in the 19th & 20th Wards in accordance with the laws applicable for transfer. Any cost proceedings to be paid from the Property Management & Maintenance Program Budget Funds.

Also,

No. 1318 Communication from Richard S. Caliguiri, Mayor, requesting authorization for George R. Whitmer to travel to Harrisburg, PA, to attend meetings on local tax matters on Wednesday, August 22, 1984, at a cost not to exceed $300.00, payable from Code Account No. 1017, Misc. Services, Mayor's Office.

Also,

No. 1319 Communication from Richard S. Caliguiri, Mayor, requesting authorization for Mina Gerall to attend an Energy Task Force Unit Meeting in Kansas City, Missouri, September 22-25, 1984, at a cost not to exceed $1,000.00, payable from the Energy Task Force Trust Fund. The City will be reimbursed from the Dept. of Energy for all expenses incurred.

Also,

No. 1320 Communication from Richard S. Caliguiri, Mayor, requesting authorization for Mary Reilly, Chairperson, Mayor's Task Force on Women in Renaissance II, to attend the Greater Pittsburgh Chamber of Commerce's Leadership Pittsburgh program. The two-day retreat will be held at the William Penn Hotel on September 13-15, 1984, at a cost not to exceed $600.00, payable from Code Account No. 1017, Misc. Services.

Also,

No. 1321 Communication from John Gabriel, Director, Commission on Human Relations, requesting authorization for himself and Constance E. Wellons, Chairperson, to attend the Third Annual Fair Housing Assistance Plan Commissions/Executive Directors Seminar in Philadelphia, PA, on Sept. 18-21, 1984, at a cost not to exceed $1,000.00, payable from the HUD-FHP Trust Fund - HUD-Fair Housing Program.

Also,

No. 1322 Communication from Melenie J. Smith, Director, Dept. of Personnel & Civil Service Commission, requesting authorization for Walter Fortson, Data Specialist, Ruth Lucis, Supervisory Clerk, and Martin Schuster, Clerk-2, to attend a one day training session on the JTPA on-line computer system in Harrisburg, PA, on either August 22, 23, 28, 29, 30 or September 4, 5, 6, 11, 12 or 13, 1984, at a cost not to

exceed $180.00, payable from the JTPA-I Trust Fund, federal funds. Permission is also requested for use of a City vehicle.

Also,

No. 1323 Communication from Raymond E. Johnson, Jr., Deputy City Controller, requesting authorization for Robert Kubit, Controller's Executive Secretary, Jeanne Terrence, Controller's Assistant Executive Secretary, Thomas Bouvy, Assistant Chief Auditor, Theresa Buyna, Account I, Kathleen Kraus, Management Auditor, and Christine Havner, System Analyst to attend a seminar in "Developing Effective Supervision" to be held in Pittsburgh at the Hyatt, October 15, 1984, at a cost not to exceed $810.00, chargeable to and payable from Code Account 1048, Misc. Services, Dept. of City Controller.

Also,

No. 1324 Communication from Raymond E. Johnson, Jr., Deputy City Controller, requesting permission for Richard D. Pugh, Controller's Engineer, to attend the Pavement Design and Pavement Rehabilitation Seminar in Madison, Wisconsin, October 14-19, 1984, at a cost not to exceed $1,500.00, chargeable to and payable from Code Account No. 1048, Misc. Services.

Also,

No. 1325 Communication from Dante Pellegrini, City Solicitor, Dept. of Law, submitting a report summarizing settlement claims not exceeding $750.00 for the Second Quarter of 1984, payable from Code Account No. 1081, Petty Claims. Also, submitting a report summarizing settlement claims in excess of $750.00 for the Second Quarter of 1984, payable from Code Account No. 46, Judgments.

Also,

No. 1326 Communication from Ronald C. Schmeiser, Director, Dept. of Finance, submitting a report of deposits and market value of collateral Security pledged by City Depositories to secure same as of June 29, 1984.

Also,

No. 1327 Communication from Ronald C. Schmeiser, Director, Dept. of Finance, submitting a report of deposits and market value of collateral Security pledged by City Depositories to secure same as of July 31, 1984.

Which were severally read and referred to the Committee on Finance.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

This resolution was presented in person but should be read into the Record, please.

Michelle Madoff presents

Bill No. 1328 WHEREAS, the United States Four Member Team competed in the XVI International Chemistry Olympiad in Frankfurt, West Germany; and

WHEREAS, the American team finished eighth among the twenty countries competing in the 10-day high school contest and cultural exchange; and

WHEREAS, Seth N. Brown, known as the chemistry whiz from the Squirrel Hill section of Pittsburgh was awarded a silver medal for earning the top American score and placing 13th out of 76 participants.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh do hereby congratulate Seth N. Brown for his outstanding scholarship ability and extends its best wishes for his continued achievement in the field of chemistry as he attends the Massachusetts Institute of Technology this fall.

BE IT FURTHER RESOLVED, that the City of Pittsburgh, along with the Pittsburgh section of the American Chemical Society, the Society for Analytical Chemists of Pittsburgh and the Spectroscopy Society of Pittsburgh, join in honoring Seth N. Brown, his family and friends.

Michelle Madoff moved to adopt the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. Givens:

Mr. President, I have a couple of points to bring up. One is that if we can get a report from yourself or the President of Council when we're going to get our terminals within our Councilmatic office. The reason I emphasize that point is the fact that we're talking about having two budgets possibly proposed to us because of court action pending on the wage tax and other taxations that we have done beyond the limits of what some people feel we cannot do. However, I feel our Home Rule Charter in fact gives us that prerogative to do certain things within limits. I appreciate that the State does set maximum limits on most of our taxation and the Commonwealth has that prerogative.

Secondly, I have observed in some of these documents and especially in the papers that will be coming forth in the next meeting the amount of travel that has been done by this Administration over the last year. Thinking of austerity and trying to hold down costs, I would like a department by department report on all travels completed and the month they were completed in and I'd like to have that report as soon as possible. I think that if we're looking at austerity and if we're looking at two tax budgets and there's one area that you start looking into very quickly and that is travel and the procurement of all items of purchase to hold back as much as possible until we know where we're going to be at the end of the line.

Thirdly, there is a Personnel Appeals Board meeting set for 2:00 or shortly thereafter when one of the gentlemen of the Board will be sworn in given at least a quorum of two people.

Our City Home Rule Charter demands that we have a Personnel Appeals Board within the City of Pittsburgh. It's not the Council who says we need this, it's not the Mayor who says we need it; it's the legislative body of the State of Pennsylvania so enacted that if you have a personnel system which all of us are required in municipal government to have a personnel system of merit then there has to be an appeals system. If you think of a budget that might be two pronged, if you think of some threats that I've read recently in the newspapers of possible layoffs within the City employees if that second budget would have to come to effect, then I'm sure that the Appeals Board is going to have to receive more action because in researching into it, although there are six or seven unions that represent at the bargaining table many of the personnel, about half of the personnel of the City of Pittsburgh, I've come to find that many

of the people who are actually working for the City of Pittsburgh do not belong to any union at all, which means that about half of those people will have to go if they have any appeal will have to go to this Appeals Board. I think it's about time we bring it to a head and the Mayor appoint his appointee and I ask you as the acting President to look in, Ben if you might, if this role applies to others. If the Mayor does not appoint, does Council then have the right after the 60 - 90 day time frame, whichever it might be, to appoint someone to that particular board?

We should have that very quickly because I think this Board must get underway and must get moving very quickly. Thank you.

Michelle Madoff:

With reference to the traveling, I introduced a resolution five years ago I believe, and most people have been pretty good about it. My aide traveled on the water conference and she submitted a report of what she learned and what might be beneficial to this Council and items that I might be able to introduced that would help things.

I have no problem with anybody going to a meeting providing it isn't a junket. I don't want to see former members of this Council, for example, going to junkets in Europe that are highly technical on sewage systems when they don't have a background in engineering or have never worked in the field. That's a junket.

I'd like to see people in Alcosan, people like myself who have fifteen years background in the field. I'd like to see this Council be more responsible in that sense.

On the other hand, if somebody is going to learn something about saving on energy such as Mina Gerall and she's trying to do something about some of the buildings and helping, I have no problem providing she gives us a report. In the same vein, I would like to see my aide Carmen Gunther or Linda Sarno or myself go to that meeting because I am the subcommittee on energy. I have written numerous letters to the Administration who refuses to work in cooperation with this Council; there's certainly a lack of cooperation with this member of Council for whatever reason they feel threatened, and well they should because there are many things that we point out that they don't like to hear.

But I think that penny-wise and pound-foolish is not the answer. Mr. Woods asked that I not bring it up but I think it's appropriate that after 74 years we're finally going to modernize our offices. I used to work when I got here six years ago in a closet, literally the size of a closet, with two people, two typewritters, two telephones, and when somebody came to talk to you about business matters you had to ask the person who was doing work to sit in the hall for two hours and not be productive and we're not servicing our constituents. At that point I threatened to take a lawsuit against members of Council; I was given a room out in the hall. I offered my space to Mr. Stone who was then Finane Chairman, he said he didn't want it, it was next to the Finance Office. We've had a working office. Now instead of two typewriters we have three typewriters and we still don't have a place for visitors to come in. We're trying to organize and get our place in order. I think that there's been some kind of distortion. The money, the $100,000, is simply being used to update the facilities.

Then there is money for

terminals. As you pointed out when you talked about getting terminals, Mr. Givens, that's going to help us save on the budget, I mean we're talking about pennies. It's penny-wise and pound-foolish. Let's do what has to be done so we can save hundreds and hundreds of thousands of dollars for the community.

The Chair, Pro tem:

Thank you.

Mr. Robinson:

Mr. President and members of Council, I have two issues I'd like to share with members of Council. One relates to the Allegheny International Theatre Project and the other relates to the Minority Business Program in the City of Pittsburgh.

First, on the Allegheny International Stanley Theatre Project, as members of Council are aware, some time ago last December we gave tentative approval to this project. Subsequent to that time there have been some major changes, substantial changes, in that project. Unfortunately, neither the Administration, the Urban Redevelopment Authority or the developers have communicated that information to City Council.

I think it would be wise for us to request the developers and the Administration and URA to come back to Council to let us know where that project stands. From reports that I have mainly through the media and other sources, there is a new partner in the development team. Council originally approved a joint venture between Allegheny International and Urban Development Incorporated. It's my understanding that that joint venture no longer exists; there is another venture.

My concern is that a substantial portion of the money used or that will be used to leverage this project is public money. A $7.5 million bond issue which is shared by the County and the City and another approximately $17 million from a UDAG grant that will be coming to the City of Pittsburgh and then made available to the developers. On several occasions I've raised the concern that this Council approves developments and then subsequent to our approval the development is substantially changed. I think that it's inappropriate for public money to be used to leverage a project that public bodies have not approved. We did not approve the project that is presently underway; we approved another project. I do not know what this new partnership means in terms of their financial obligations to the City but one thing is for sure; part of the reason that the partnership, the original partnership, was changed was because one of the partners was not fiscally solvent. I don't know if they weren't fiscally solvent when they made their presentation to this Council but it seems hard for me to believe that a major corporation, the subsidiary of another major corporation within a period of six months would become fiscally insolvent, and if that was the case, more reason for this Council to have been informed, for the public to have been informed. We're talking about maybe $25 million of public dollars used to underwrite a $150 million project and I think it's only fitting that the public be aware of who they're doing business with and under what conditions and what circumstances.

The $7.5 million in bonds has already been made available to the developer. That money is already being used to renovate the Stanley Theatre. The other monies, as far as the public monies is concerned, the other $17 million, has not yet been made available.

As Chairman of Planning, Housing and Development, I'm requesting that the Assistant City Clerk contact the Urban Redevelopment Authority, the Mayor's Office, Allegheny International, Urban Development, and this new company, Lincoln Properties out of Dallas, Texas, and respectfully request that they make arrangements to meet in public with this Council.

Michelle Madoff:

A post agenda?

Mr. Robinson:

A post agenda, to discuss this matter so that we know who we're doing business with and under what circumstances. There is quite a bit of private money that is involved in this project and I think that it's also important that those private people who we're doing business with understand our concern. There is perhaps a bit of miscommunication. I have requested on several occasions information relative to this project from the Urban Redevelopment Authority without any success. I think its unfortunate when members of this Council have to read in the newspaper about the use of public dollars, particularly in reference to projects that we have approved. It makes absolutely no sense whatsoever for the developers, for the URA, and for this City Administration to have made a major change in developers without informing this Council. This is not an attempt to embarrass anybody. I think every reasonable attempt has been made to identify the process for fulfilling the commitments that were presented to this Council. I have not read anything in news reports which have suggested that the reason the original partnership between Allegheny International and Urban Development failed was for financial reasons but I have good reason to believe that that is basically why it did fail and why they had to go out and find another partner and I think there was ample opportunity to inform this Council and to inform the public. If it was a good deal back in December of last year it should be a good deal now. And if we're going to continue to use public dollars then the public has the right to be informed. I don't mean to be redundant but this process that I'm describing, the one that I think was inappropriate, has happened over and over again. There are numerous projects where this has occured and I think it's inexcusable and I think we have a right to be involved in making the decisions about how this City is developed, particularly when the legal process requires our approval, which it did initially, and if we were required to approve the original developers we certainly have the right to approve the developers who are now going to use public dollars to help finance a private project. I reiterate my support for the project but I also want to make sure that the public is going to get the benefits that were presented to this Council and that there's an appropriate involvement of public bodies.

The Chair, Pro tem:

We'll schedule a post agenda and get hold of those parties.

Michelle Madoff:

I want to comment on that subject. I know Mr. Robinson is zeroing in on an issue that we have talked about over and over again. This isn't the first time, Mr. Robinson, and if we don't do something about it it's going to be the last time. I don't know about you but I'm tired of you and I being the beautiful people and being window dressing on this Council along with the rest of the beautiful people. It is time that this Council gave serious thought to your

concept that you raised some time ago of having our own legal counsel. There is money set aside for this Council to hire attorneys providing we get five votes. The President of Council, Mr. Stone, in is infinite wisdom decided that we would no longer have the President of Council authorize that, that we'd have to have five votes. I would like to change the five vote concept in its entirety. The Home Rule Charter gives us the power to hire our own attorney. At that point, Mr. Robinson, you could be talking to our own counsel and saying what is happening? We have so many bills that come up before us we couldn't be human computers. It is impossible to handle everything but the members of Council could go to the counsel, an attorney who works for this Council and say, "Will you please follow up on what is happening with this and report back to me?" Then you would know what steps you want to take and someone would be helping us with it.

That goes to the next issue. I sent a letter out of this Council to, I believe Judge Cohill. It was approved by this Council that we make an inquiry, just an inquiry, as to the clarification of what he meant on the minority and women hiring so that we would not have all the people who passed with very high scores not hired.

The Chair, Pro tem:

Michelle, Mr. Robinson was on one subject —

Michelle Madoff:

I'm on the same subject. Mr. Robinson, would you agree that I'm on the same subject which is an attorney to handle these problems? Would you yield to my finishing this one point?

Mr. Robinson:

That's the prerogative of the Chair.

The Chair, Pro tem:

Michelle, please, I'm going to rule you out of order. Mr. Robinson, you had another subject.

Michelle Madoff:

I'll come back to the issue as soon as he's through.

Mr. Robinson:

On the Minority Business Program issue in the City, as Council is aware, there is a continuing dialogue in the news media relative to this issue. Unfortunately, there are still those who do not believe that whatever processes we have in the City of Pittsburgh to assure minorities and women equal access to business opportunities is credible. I think the fact that this issue and this lack of acceptance on the part of leaders in our community persists suggests that we ought to try again to bring it to a conclusion. As Council is aware, the Vice Chairman of our Planning Commission has taken a very serious step of requesting that all public dollars coming into this City from the federal government be halted until such time that minorities and women can identify a process which will assure them of a fair share of business opportunities. The Vice Chairman also sent a letter to the Housing and Urban Development people at the national level; to the Secretary, Samuel Pierce; he sent a letter to the Mayor of the City, Richard Caliguiri; —

Michelle Madoff:

Who sent them?

Mr. Robinson:

The Vice Chairman of our Planning Commission, Mr. Leon W. Howard, Jr.

I am concerned that this issue is not going to be brought into proper focus as long as we allow the discussion of it to continue in the media. This Council several years ago established a Minority Business Enterprise Review Committee to address the issue that Mr. Howard has raised. Mr. Howard has now raised another issue and that is the credibility of that committee. I think that it's about time for this Council to try again to meet with the Administration of this City to see if there is any reasonable way that we can establish a credible process that provides opportunity for all Pittsburghers and for all people who would like to do business with us. I am not here to indicate whether or not Mr. Howard is correct or incorrect in terms of his assertion nor am I here to defend any of the responses that have come from the Administration. But I think this Council has borne the responsibility, the brunt of it, over the last five or six years of trying to initiate a minority business program in the City and I think it is incumbent upon us to try and resolve any outstanding conflict and make sure that system has credibility.

As Council is aware, we have pending before us appointments to the Minority Business Enterprise Review Committee. I asked to have those appointments and reappointments held until such time that we could get some clarification from the Administration exactly what we were doing and to get some clarification from them as to how that Minority Business Enterprise Review Committee is operating. Mr. Howard did send a letter to this Council requesting a post agenda meeting early in September so that he as Vice Chairman of the Planning Commission might share with us his concern. I would assume that the President of this Council will act upon that in an appropriate fashion but I think to delay any action is only to invite not only embarrassment for the City of Pittsburgh but possibly jeopardizing millions of dollars of federal funds that will come to this City. I don't think that any of us should take lightly providing opportunties for minorities and women nor do I think we should take lightly our commitment to make sure that minorities and women have a fair opportunity to participate in the business activities of this City and the growth of this City under Renaissance II. I would hope that the President of this Council or the acting President, Mr. Woods, would take the initiative to accommodate the Vice Chairman of our Planning Commission to give him his opportunity to come before his Council and present his case. I think any time someone of his stature and status raises concern about the credibility of our internal processes that we ought to take it seriously. Evidently he's taking it seriously and evidently the news media now finds this an interesting story and the dialogue between the Administration and Mr. Howard on this issue I think is very unhealthy in the sense that it's unhealthy to continue it in the news media without government officials, responsible government officials, trying to bring it to a head.

The Chair, Pro tem:

Thank you.

Michelle Madoff:

In line of the same thinking that Mr. Robinson has expressed, again, had we had a fiscal analyst on staff, had we had an attorney on staff which we are allowed to acquire through the Home Rule Charter, many of these issues could

have been avoided. They would come to us, review the legislation, say I think it's time that you have a post agenda, act on behalf of us, go to the President of Council and get it scheduled or the acting President of Council. If it's a fiscal matter they would go to the head of the fiscal committee and point out some of the problems.

One of the issues tha I am greatly disturbed about, things that Councilman Givens, Councilman Robinson and I have repeatedly over the years asked and have never received satisfactory response for is we are constantly asking information from the Administration and the Administration in its infinite wisdom says, "Ignore Council and maybe they'll go away, people won't know they're there." We have a strong Mayor system and a weak Council system.

I ask that a letter go out to I believe Judge Weber asking for clarification. There is an attorney who has asked for clarification and the Judge said he would only give that clarification to an official body. As an official body we voted to just ask for clarification of his ruling. He will be happy to give us that clarification. We asked Mr. Pellegrini; Mr. Pellegrini decided that he would speak for the Judge and say, "The list is being thrown out in October anyway and therefore what is the point of going to the Judge for clarification?" Mr. Pellegrini is not the Judge. We are going to have other lists; there are many people who were turned down in the 99 percent, people who passed both the psychological and the physical test who were not hired who are going to take the test over again, who for whatever reason of the Administration's manipulations may not be hired.

I want to know what the Judge's ruling was. We voted on that. I want a response. If I don't get a response then I'm going to get my own legal counsel to go after this body to get a response. Now, what do we do? We voted to ask for a response; it was never sent out. It was sent to Mr. Pellegrini. I didn't ask it to go to Mr. Pellegrini; I ask that it be sent, and this Council voted, that it go to Judge Weber. Do you understand where it's to go? It is not to go to Mr. Pellegrini. It is the Council of the City of Pittsburgh, acting President Mr. Woods or President Mr. Stone. Could you please clarifiy your ruling as to minority and female hiring. We just want clarification. Do we have to throw the list out? Can we keep if there's an extensive male list just go after minorities and females so that we don't use them as an excuse not to hire anybody. When will that be done? Today? Okay.

Mr. Wagner:

In reference to Mr. Givens' earlier comment about the meeting today for the Personnel Appeals Board, I was under the impression that its today at 2:00 in Council Chambers. Where has that been changed to?

Mrs. Masloff:

Mr. Flaherty's office.

Mr. Givens:

I've been informed that one of the members of the Board being sworn in is Mr. Flaherty's appointment and that they had asked for, or at least I thought they did, for Council Chambers which they could not get. The Mayor's Chambers was unavailable to them so the only place they could meet was down in the Conference Room of the Controller's Office.

Mr. Wagner:

Thank you.

Mrs. Masloff moved to excuse Mr. Stone for absence from the meeting.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Mr. Robinson moved to approve the Minutes of Monday, August 6, 1984 and Monday, August 13, 1984.

Mr. Wagner seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Wagner**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, September 10, 1984 No. 35

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, September 10, 1984

PRESENT:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't Pro tem)

ABSENT:

Mr. Givens
Mr. Stone

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Grabowski for Mr. Givens presented

No. 1329 An Ordinance amending the Pittsburgh Code, Title Four, Public Places and property, Article III, Sewers, by amending Chapter 431 Usage and connections, by further regulating the discharge of waste materials into sewers of the City of Pittsburgh; prohibiting the discharge thereinto of wastes which may damage the sewers or other facilities of the City of Pittsburgh or of the Allegheny County Sanitary Authority, which may interfere with or pass through the Allegheny County Sanitary Authority sewage treatment process, or which may endanger life, health or safety, or may violate laws, rules or regulations controlling the discharge of sewage and industrial waste as promulgated by the Federal Government, the Commonwealth of Pennsylvania, the County of Allegheny, the Ohio Valley Water Sanitation Commission or by the Allegheny County Sanitary Authority; and providing for penalties for violation.

Also,

No. 1330 Communication from Louis R. Gaetano, Director, Dept. of Public Works, requesting authorization for Regis Recker and Albert Perella to attend a street lighting seminar in Cleveland, Ohio, from September 12-14, 1984, at a cost not to exceed $750.00, payable from Code Account No. 1502, Misc. Services, Dept. of Public Works. Permission is also requested for use of a City vehicle. Prior approval granted by Council August 29, 1984.

Which were read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 1331 Resolution authorizing the City to incur lease rental debt in the amount of $6,300,000.00, by entering into an equipment lease with the City of Pittsburgh Equipment Leasing Authority at annual rentals in varying amounts which will be sufficient to pay the principal of and interest on the Authority's Equipment Revenue Bonds, Series of 1984-A, the proceeds of which will be used to pay the cost of acquiring equipment and paying financing costs; approving the form of lease and authorizing execution of the official statement relating to the Authority's bonds.

Also,

No. 1332 Resolution providing for the letting of a Contract or Contracts or for the use of Contracts for the purchase and delivery of a Magnetic Tape Cleaner for the Dept. of General Services, at a cost not to exceed $6,500.00, chargeable to and payable from Code Account 4-30-01-0001-83, Index Code 370106, Misc. Equipment, SD 83-01.

Also,

No. 1333 Resolution providing for the letting of a Contract or Contracts or for the use of existing Contracts for the purchase and delivery of Metal Shelving for the Dept. of General Services, at a cost not to exceed $7,200.00, chargeable to and payable from Code Account 4-30-01-0001-83, Index Code 370106, Misc. Equipment, SD 83-01.

Which were severally read and referred to the Committee on General Services.

Mrs. Masloff presented

No. 1334 Resolution authorizing the issuance of a warrant in favor of the Fiesta Band in the amount of $1,447.40 in payment for services furnished for the benefit of the City, chargeable to and payable from Code Account SPPTF, Special Parks Program Trust Fund (254359), Dept. of Parks and Recreation.

Also,

No. 1335 Resolution authorizing the issuance of a warrant in favor of Pitt Chemical and Sanitary Supply, Co., in the amount of $3,158.60 in payment for the purchase of poly bags furnished for the benefit of the City, chargeable to and payable from Code Account 1802, Supplies, Index Code 180208, Dept. of Parks and Recreation.

Which were read and referred to the Committee on Finance.

Also,

No. 1336 Resolution providing for authorization to enter into an Agreement or Agreements with various contractors for services in conjunction with the 1984 Pre-School Program, at a cost not to exceed $20,500.00, chargeable to and payable from Special Parks Program Trust Fund (SPPTF), Index Code 254359, Dept. of Parks and Recreation.

Also,

No. 1337 Resolution providing for a License Agreement or Agreements with Equitable Gas Company for the right of way to install 658 Ft. of three-inch pipeline at the end of Lake Drive, Highland Park Zoo, 11th Ward, City of Pittsburgh, Allegheny County, at no cost to the City. Prior approval granted by Council August 30, 1984.

Also,

No. 1338 Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting authorization for Lindsey Clack to attend the AAZPA Accreditation Committee meeting in Miami, Florida, on Sept. 10, 1984, at a cost not to exceed $700.00, payable from the Aviary Trust Fund, Dept. of Parks and Recreation. Prior approval granted by Council September 5, 1984.

Which were severally read and referred to the Committee on Parks and Recreation.

Michelle Madoff presented

No. 1339 Resolution providing for the issuance of a warrant in favor of Frank T. Donnelly Co., P.O. Box 11527, Pgh., PA 15238, in the amount of $930.05 in payment for the purchase of valve repair parts, chargeable to and payable from Code Account No. 1937, Index Code 193706, Materials.

Which was read and referred to the Committee on Finance.

Mr. Robinson presented

No. 1340 Resolution approving a Conditional Use under Section 993.01(a)A-9 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, for authorization to install an 86 stall parking area to the University of Pittsburgh on certain property having frontage on S. BOUQUET STREET between SENNOTT & PIER STREETS, 4th Ward.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 1341 Resolution providing for the issuance of a warrant in favor of Sciulli Brothers, Inc., in the amount of $130.00, in payment for extra work, being in addition to the original contract price of $256,617.10 on Controller's Contract No. 26885, furnished for the benefit of the City in connection with Waterline Installation - Various Locations - No. 1744, payable from Code Account WD-84-06, 4-13-52-0001-84, Index Code 313700, Waterline Relays in Various Locations.

Which was read and referred to the Committee on Finance.

Also,

No. 1342 Resolution amending Res. No. 1095, eff. 11/12/81, entitled: "Providing for a Contract or Contracts for North Side Concrete Step Construction and Reconstruction - various locations, including work on private property, and other work incidental thereto; and providing for the payment of the cost thereof," by amending the title to delete the words "North Side", and by increasing the total project allocation from $150,000.00 to $450,000.00.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Wagner for Mr. Woods presented

No. 1343 Resolution providing for the issuance of a warrant in favor of Edward M. Goldston, in the amount of $350.00 in payment of a refund of a fire alarm fee, chargeable to and payable from Code Account No. 43-1, Index Code No. 004317, Refunds, Fines, etc., Dept. of Finance.

Also,

No. 1344 Resolution transferring the sum of $15,000.00 from Code Account No. 1043, Misc. Services, City Information Systems, Dept. of the Mayor to Code Account No. 1042-1, Premium Pay, City Information Systems, Dept. of Mayor.

Also,

No. 1345 Resolution transferring the sum of $6,000.00 from Code Account No. 55-1, Policemen's Widows Pension Fund, Index Code 005512, to Code Account No. 55-2, Retired Police Officer Payments, Index Code 005520. The transfer is requested as a result of unanticipated back payments to two retired police officers.

Also,

No. 1346 Resolution authorizing the Mayor and the City Solicitor to enter into an Agreement or Agreements for the hiring of counsel to represent defendants Thomas Flaherty, Jeanne Terrance, Robert W. Kubit and Scott E. Becker in the case of Lawrence J. Fedigan vs. City of Pittsburgh, Thomas Flaherty, Controller, City of Pittsburgh; Jeanne Terrance; Robert W. Kubit; and Scott E. Becker filed in the Court of Common Pleas of Allegheny County, Pennsylvania, at G.D. No. 84-14626, at a cost not to exceed $12,000.00, payable from Code Account No. 1075, Misc. Services, Dept. of Law, Index Code No. 107508.

Also,

No. 1347 Communication from Richard S. Caliguiri, Mayor, requesting authorization for George R. Whitmer to travel to Harrisburg Pa., to attend a meeting with the Pennsylvania League of Cities and home rule municipalities on Sept. 14, 1984, at a cost not to exceed $300.00, payable from Code Account No. 1017, Misc. Services, Mayor's Office.

Also,

No. 1348 Communication from Edward A. Walkowski, Manager, City Information Systems, requesting authorization for Barbara Ballo to attend the Honeywell GCOS Technical Review Council in Phoenix, Arizonia from Sept. 30, 1984 through October 3, 1984, at a cost not to exceed $1,300.00, payable from Code Account No. 1043, Misc. Services, City Information Systems, Dept. of the Mayor.

Also,

No. 1349 Communication from Dante R. Pellegrini, City Solicitor, requesting authorization for himself to attend the 49th Annual National Institute of Municipal Law Officers' Conference in Fort Worth, Texas, Oct. 28-31, 1984, at a cost not to exceed $1,200.00, payable from Code Account No. 1075, Misc. Services, Dept. of Law.

Also,

No. 1350 Communication from Melanie J. Smith, Director, Dept. of Personnel & Civil Service Commission, requesting authorization for David Farley to attend a meeting of the Pennsylvania Service Delivery Area Association in Harrisburg, Pa., Sept. 20, 1984, at a cost not to exceed $350.00, payable from the JTPA -1 Trust Fund, federal funds.

Also,

No. 1351 Communication from Melanie J. Smith, Director, Dept. of Personnel & Civil Service Commission, requesting authorization for David Farley to attend meetings with officials

of Baltimore, Maryland, on Sept. 11-12, 1984, at a cost not to exceed $70.00, payable from the JTPA-1 Trust Fund, federal funds. Prior approval granted by Council August 31, 1984.

Which were severally read and referred to the Committee on Finance.

The Chair Pro tem presented

No. 1352 Petition from the citizens of Pittsburgh, requesting a public hearing before City Council to discuss the closing of the Oliver Bath House.

Which was read and referred to the Committee on Parks and Recreation.

MOTIONS AND RESOLUTIONS

Mr. Robinson:

I'd just like to enter something into the Record if I might. As Council is aware, one of our school board members, the Reverend Elmer Williams, was struck by lightning while attending a convention several weeks ago. Reverend Williams has been returned to the City and is at University Presbyterian Hospital. For those who have been trying to reach him or his family, the family has requested that until such time that the hospital and family feel that they can handle the phone calls and inquiries they would prefer that people not try to visit or to call but certainly cards or flowers can be sent.

I think it would be appropriate for Council to send a letter to Reverend Williams' wife and family expressing our concern and offering our assistance. Unfortunately, while he is not in a deep coma anymore he still is in very serious condition and I'm not sure what the results will be but at this point I think probably the best that we can do is offer our assistance and our prayers to his family and hopefully things will work out in the final analysis.

The Chair, Pro tem:

Thank you, Mr. Robinson.

Michelle Madoff:

I have a question. When do we get an update, the Council, as to the status of the bill that's going to affect our budget?

The Chair, Pro tem:

I have a meeting with our Finance people, Mr. Schmeiser and Mr. Schillo, this week. I hope to have more information by the end of the week and maybe I can give you a report on it next week.

Michelle Madoff:

Isn't it running awfully close to budget time?

What is the Mayor doing? Is he going to address this?

The Chair, Pro tem:

Yes, he is.

Michelle Madoff:

Could we have the Mayor address this personally? I think that's a terribly important item, don't you think? Council should have been working this in January. How will this affect our commuter tax and maybe he ought to just levy it. Some communities have done it, even though its not legal they've done it, and the communities have not done very much about it simply because you can't let the City go under. L.

Stanton Williams told me not to worry. When the City was going under the community, you know the leadership of the corporations would step in and save us. Well this is it. This is it. We're going under. This City is going to be in bankruptcy if that bill passes and this is a time we ought to be pushing for the commuter tax and I would like to see it at two percent of the salary so we can lower the City people, we're paying four and have everybody who works in the City pay two percent. We can no longer afford traffic policemen for suburbanites and all the other things.

I trust you, Ben, it's wonderful that you're going to meet with them and I'm worried about it. Maybe we need to make it a rush rush thing. I think we have to put some pressure to get things done.

I need another item clarified. I've been working on a bill for some time and as you know we've ordered the Law Department to prepare the bill — they didn't do it until you ordered it as President of Council — on the life cost cycling. Well, we're running into some real serious problems now in hiring. If somebody comes in as the low bidder they may not have had much experience but because of the low bid they're getting hired. The City is getting stuck with people who cannot pay their bills two or three times and we're now paying the creditors on two or three accounts. We make arrangements that the money instead of going to XYZ company goes to the creditors instead of XYZ and to the IRS so that person can continue finishing jobs. As you know, Wayne VanDine showed up on Craig Street. My phone is coming off the hook on Craig Street; if mine is coming off, everybody else's phone is coming off. Is that correct? You're all getting calls on it?

They're about to institute a lawsuit against the City and against Councilmembers. I spoke to Paul, they cannot do anything. He's locked in until November. They're going to meet this afternoon to try to resolve it to see if he can do the job or if he can't do the job and I wanted to talk to Jack to see if Jack would be there because he would represent Council.

Mrs. Masloff:

Is that Parente?

Michelle Madoff:

I don't want to mention names.

Mrs. Masloff:

I want to know. Is he the contractor on that job? Do you know, Jack?

Mr. Wagner:

Yes, that is the contractor.

Michelle Madoff:

Jack will take care of it I'm sure. There are several Parentes, three or four Parentes. Some have done excellent work for us and that's why I didn't want to mention names.

Mrs. Masloff moved to excuse Mr. Givens and Mr. Stone for absence from the meeting.

Mr. Wagner seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Robinson**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, September 17, 1984 No. 36

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, September 17, 1984

PRESENT:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

ABSENT:

Mrs. Masloff

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair presents

Bill No. 1393 WHEREAS, at the beginning of the 20th Century, immigrants of Croatian and Serbian descent, began to arrive in many parts of the United States of America and particularly in the City of Pittsburgh; and

WHEREAS, these immigrants brought with them their love of music, particularly their love of the "tamburitza" instrument, which has been the focal point of much love, enjoyment, and pure friendship and fun; and

WHEREAS, Lou Cavic, the son of immigrants Peter and Pava Cavic, along with Lou Jakovac and Frank Mudrovich, in St. Louis, Missouri, had a "Jam Session" of tamburitza players, which shortly sky-rocketed to 98 players, with interest expressed by more, there and elsewhere, to participate as musicians and/or listeners; and

WHEREAS, the said Lou Cavic, realizing the need of further forums of expression of the propagation of the music of the tamburitza, organized the Tamburitza Association of America; and

WHEREAS, the 18th Tamburitza Extravaganza will be hosted in Pittsburgh, Pennsylvania in the Hilton Hotel on September 27, 28 and 29, 1984.

NOW, THEREFORE,

BE IT RESOLVED, that the City Council of the City of Pittsburgh, Pennsylvania, does hereby:

1. Welcome the 18th Annual Tamburitza Extravaganza and extend its best wishes for a most successful event here in the City of Pittsburgh, where in years past some of the best tamburitza players have performed; and

2. Welcome and congratulate Lou Cavic, Founder, President Emeritus and Chairman of the Executive Committee of the Tamburitza Association of America for his foresight in founding the organization and for his perserverence in perpetuating the tamburitza music and for spreading and broadening the musical tastes of tamburitza lovers — everywhere.

Mr. Woods moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

The Chair presents

Bill No. 1394 WHEREAS, on September 23, 1984, the many friends and associates of JOHN M. McNAMARA (affectionately known as "Mac") will attend a testimonial dinner in honor of his 40 years of public service; and

WHEREAS, Mr. McNamara has announced his retirement from the Democratic Ward Chairmanship of the 10th Ward after 14 years in that position, and

WHEREAS, "Mac" began his public service career as a patrolman with the Pittsburgh Police Department, where he rose to the rank of Inspector of the Detective Division; and

WHEREAS, "Mac" has served over 14 years as Chief Deputy to the Allegheny County Sheriff; and

WHEREAS, "Mac" was actively involved in numerous law enforcement associations, including the Western Pennsylvania Chiefs of Police Association, the Pennsylvania Deputy Sheriffs Association and the Fraternal Order of Police, Fort Pitt Lodge No. 1, and is a member of the Knights of Equity, the American Legion, and numerous other social and community organizations; and

WHEREAS, "Mac's" zeal and labor for social justice has contributed immeasureably to the betterment of the communities and has enriched the lives of many.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the members of Pittsburgh City Council, on behalf of the citizens of Pittsburgh, hereby recognize and commend John M. McNamara on his 40 years of distinguished public service, where he displayed sincere dedication in cultivating high social and moral standards in government and in the field of law enforcement, and may he continue to reap the fruits of his labor for many years to come.

Mr. Robinson moved to adopt the resolution.

Mr. Givens seconded the motion.

Which motion prevailed.

Michelle Madoff:

I have known Mr. McNamara for many years since I started running for office way back in'72, '73. I've always known him to be a really good public servant, a caring public servant. He's really one of the rare people in what I

consider the organized political arena, which I've never been supported by nor really sought particularly to rule.

He's a very, very special person and I think we're all going to thoroughly miss him, and I think that we ought to have perhaps some kind of — not only a resolution but some kind of little gift from this Council.

The Chair:

There's a banquet on Sunday, and we'll be presenting the Resolution at that time with some additional remarks.

Michelle Madoff:

Fine. Is the banquet in the evening? I may have a conflict — we'll send a gift of our own, but I just want to him to know how special I think he is.

The Chair:

Well, that's why we took time to do the resolution, and not letting it pass without it.

Mr. Givens:

Mr. President, I couldn't go by without saying some words of Mr. McNamara and the fact that I've known him for a number of years, and the fact that — being in the political arena, as well as being a Deputy Sheriff and a Policeman for the City of Pittsburgh and working for Gene Coon, who was his boss, and also as the 10th Ward Chairman of the City of Pittsburgh for many, many years taken over from a great Ward Chairman, I had great influence; and that the 10th Ward being I think the 3rd largest Ward within the City of Pittsburgh. Where our Chief Clerk resides in and some other people from the City, but Mac has demonstrated a sort of independence of his own while still working for these other people, but never have I seen a loyalty and dedication that he has given to the people that we has worked for in public service as Chief McNamara as most of us call him; and I hope everyone will be at his testimonial. He and his dear wife and all of his wonderful children will be there to enjoy what I think is long over due for Chief McNamara. Thank you, Mr. President.

Michelle Madoff:

Would Carla Gedman come up here please. Carla Gedman is the Chairperson of the American Society of Industrial Security and she is here to receive this resolution, and to take a couple of extra copies back, and if you like we'll get a frame for you.

Michelle Madoff presents

Bill No. 1391 WHEREAS, the security of our nation's industrial strength and physical plants are of vital importance and concerns us all; and

WHEREAS, the American Society for Industrial Security is an international association that promotes education, community awareness, and local involvement in the security profession; and

WHEREAS, it is proper that we recognize the contributions of private security practitioners, inasmuch as private security employs a greater number of personnel than public law enforcement; and

WHEREAS, these dedicated men and women interface and support the public sector in numerous ways, from protection through uniformed security officers, to providing consultation on physical security through alarms, closed circuit TV, to teaching community crime

prevention.

NOW THEREFORE,

BE IT RESOLVED, that the Members of Council of the City of Pittsburgh do hereby proclaim September, 1984 as, "Professional Security Month" and commend all members of the American Society for Industrial Security, and all those dedicated to security and to the principles of law enforcement in safeguarding life and property, while providing enviable peace of mind.

Michelle Madoff moved to adopt the resolution.

Mr. Givens seconded the motion.

Which motion prevailed.

Carla Gedman:

I would just like to express my gratitude to Michelle for her efforts in supporting the recognition of private security, and we will continue to work as diligently as she has in supporting a comprehensive garage security package. Thank you very much.

Michelle Madoff:

I would just like to add one thing that I am really terribly disappointed in the watering down of our security garage bill so that anybody can be put into a uniform because if there's no security, and I hope that Carla will touch on that by having a screening process, you could be hiring a rapist and putting him in or her. I don't think we have too many female rapists, by putting the rapist into uniform.

The person who is doing the victimizing could be the person hired. It would be a good ploy, and I really think we ought to seriously think about amending the bill, and it will be back before Council.

Mr. O'Malley:

I like to have come up at this time Jean Sickle who is Chairman of the Women's Task Force for the City of Pittsburgh, and Margaret Cyert who is the Chairwomen of the Child Care Committee.

Margaret chairs one of the most important committees in the Task Force as far as I'm concerned and as a result of such factors as the increase in the number of women in the work force, and the number of single parent families the top of the child care has been receiving a great amount of attention in the media. Because of the problems which have highlighted, and as a result of my own experience we're trying to find adequate child care for Shannon. I feel that development of quality child care services throughout the Pittsburgh community is imperative.

Mayor Caliguiri, has taken a major step towards achieving at this end by appointing members to a Child Care Committee within the Mayor's Task Force on Women in Renaissance II. Single child care is an issue on which I have worked as a Councilman for over a year. I feel that the Mayor's actions should be endorsed and supported by members of this Council, and that this Council should also assume a leadership role where child care is concerned, because the City of Pittsburgh serves as an employer for over 500 people. Many of whom must avail themselves with child care services.

I feel that it is important for the City to look into sponsoring a quality Child Care Center Program of its own because statistics have shown that this

will reduce apathyism, increase workers productivity, and a decrease in resignations that can result from the failure to implement such a program. Thus employer sponsored child care benefits benefits both the employer and the employees.

Child care is an issue which is not restricted to sex, one type of employer or even families with children. After all children represent the very hope in the future for all of us. This is why I have called Margaret and Jean up here to introduce this resolution to support the Child Care Committee of the Women's Task Force on Renaissance II in Pittsburgh.

Mr. O'Malley presents

Bill No. 1392 WHEREAS, the formation of the Mayor's Task Force on Women in Renaissance II was wholeheartedly supported by Members of Council of the City of Pittsburgh; and

WHEREAS, the issue of child care has been a concern of some Members of Council of the City of Pittsburgh for almost two years; and

WHEREAS, there is a growing demand for quality child care in the City of Pittsburgh, and by employees of the City in light of the increasing number of single-parent families and families in which both parents are employed; and

WHEREAS, the goal of the Child Care Committee of the Mayor's Task Force on Women in Renaissance II is to make available quality child care services throughout the Pittsburgh community.

NOW THEREFORE,

BE IT RESOLVED, that the Members of Council of the City of Pittsburgh applaud the appointment by Mayor Richard Caliguiri of members to the Child Care Committee of the Mayor's Task Force on Women in Renaissance II.

BE IT FURTHER RESOLVED, that the City of Pittsburgh make available to its employees a program for child care that will serve as a model for other employers throughout the City of Pittsburgh.

Mr. O'Malley moved to adopt the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. O'Malley:

I would like to present this to Margaret as Chairperson for the Child Care Committee.

Ms. Cyert:

I must say that the City is very fortunate to have people like you who care about issues of this sort, and we're very very glad to have this kind of interaction with City Council. We have a great committee. There are 32 people who represent us now. The City's best experts with regard to child development, and right now Councilman O'Malley has been invited to join the committee, and he will be participating when he can. If he can't come why he'll send someone to find out what is going on. We're very very pleased to have this happen.

Michelle Madoff:

What is the funding available to make this a reality? I'm a little tired of rhetoric. The Mayor's Committee was formed two years ago. There wasn't

anybody in their right mind on this Council, and particularly a female who was going to vote against the Mayor having a Task Force for Women, but I'm tired of windowdressing, I'm tired of promises. What are we're going to deliver? Have you got any money? Are you going to be windowdressing?

Ms. Cyert:

Of course not.

Michelle Madoff:

I think you're like me; you're not windowdressing for anybody.

Ms. Cyert:

Right. I think it's not an easy question to answer. There's not enough money, please let's not beat around the bush there's not enough money. So far, the Task Force has run on the help of two hired employees the rest of us are volunteers. I'm a volunteer. We have been able to get some money from outside sources we've gotten a nice grant the Pittsburgh Foundation to get our organization under way.

We can use a lot of resources. However, not all of the resources have to be money. Let me say that very clearly. Our Task Force as it came together discovered something and I want to pass this on to you, and I almost walked off without even mentioning it. Anyone who wants to get good quality child care has available to them a number. This is the hot-line number from the job care network of health and welfare planning. The number is 800-392-3131.

Michelle Madoff:

I don't think that's necessary. We're going to get copies of it I hope. The thing that I'm asking, if we already have one, if we already have this network why are we forming another committee?

Ms. Cyert:

Michelle, so few people know what goes on that's one of the ideas for it.

Michelle Madoff:

What I'm trying to say to you is that we want to accomplish the same goal. Is that correct?

Ms. Cyert:

Yes.

Michelle Madoff:

We'd like to have a program —

The Chair:

Michelle, excuse me a minute. I think in fairness we owe Councilman O'Malley —

Michelle Madoff:

I would like to address Councilman O'Malley.

The Chair:

Wait, let me finish. It's his resolution. I think we ought to let him finish first before we do any more, and I understand he's not finished yet, so let him finish.

Michelle Madoff:

I'm sorry, Councilman O'Malley's not finished I will wait, but I think dialogue on this should take place while we vote.

The Chair:

We owe that obligation to everyone who is presenting a resolution.

Ms. Cyert:

The assignments to task is to provide quality child care available to this community it's not a simple problem. It's an enormously complex problem, and we have on our committee 32 people who are right now — having working since June, and are still working. We will have some specifc things to suggest.

I think it's fair to say that even though we could do everything in the world there's an awful lot that happens outside of this community. Part of what we have to do is to influence what goes on in federal legislation. I think many of you are aware of the fact that most of the funding for child care comes in from federal sources. We have an enormously complex job to do, and we are really under way. I think an important ingredient of this is cooperation and communication, and this is one way to begin. Right now right here. It is fascinating to me as you suggested that this telephone number if it were pasted all over town on billboards, whereever, could help an awful lot of people. This is solid information cost small or anything, but it is not always easy to get really solid information. So, that's one thing that we're going to be trying to do.

Michelle Madoff:

Councilman O'Malley, I think you are to be commended for the bill, and that what you're —

The Chair:

Michelle, wait let him finish his delivery first. I understand he's not done yet.

Mr. O'Malley:

I'd like to have Jean Sickle come up who is Chairwoman of the entire Women's Task Force and who is responsible for its functioning, to say a few words.

Ms. Sickle:

Just a correction, Executive Director, but I might say that as Margaret has mentioned the issue of child care is certainly very complex, and one solution is not appropriate for everybody. One of the things that we are going to be doing is a survey of the City employees to get a sense of what, in fact, they say they need. This is not only in child care but the other four areas that the Task Force is focusing on.

We will be getting the services of a professor from Carnegie Mellon who's going to help us develop the survey instrument. We're going to do a stratified random sample so that we get people of all levels of City employment, and we will be able to run the results through the City Informations System, and we feel that this will give us handle on the kinds of things that City employees feel they need as a microcosm of our community, and I think that this is an appropriate step so that we can see what it is that may be needed and get some handle on what cost might be and where we should be looking for resources.

Apparently, some possibilities are going to be more expensive then others, and we may be able to eliminate them because, in fact, City employees don't feel that that's what they want,

Mr. O'Malley:

Michelle, I know you're sincerely concerned. I think what the appropriate steps to take would be to have a post agenda.

Michelle Madoff:

Well, what I wanted to say if you will indulge me. I wanted to congratulate you, Councilman O'Malley for bringing this before the Council, and obviously to the media and to the public. We've discussed this issue on many occasions, and personally I speak for myself I'm delighted that people of your caliber are getting involved because, I know your reputation and you're not to going to be windowdressing, and you're really going to be doing something productive, and I think we're going to see something come out of this, and I'm really delighted even though it's two years later that we're going to start today. I hate to say Tom Foerster's expression "Today's the first day of the rest of our lives", but we can translate that into people of your caliber coming to this committee is really the beginning of that committee becoming meaningful, and I personally extend a great deal of personal thanks, because there are so many issues that need help. Particularly, women who have to go to work, you know every working women needs a wife.

Mr. Givens presented

No. 1353 Resolution amending Res. No. 210, appr. March 22, 1984, eff. April 3, 1984, entitled: "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for traffic signal installation at various locations with the City of Pittsburgh, by reducing the total project allocation from $200,000.00 to $160,000.00, chargeable to and payable from Code Account PW 84-20, Signals at Various Intersections.

Also,

No. 1354 Resolution granting unto the Software Engineering Institute (SEI) their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense a Bridge to Transport Pedestrians from Building to Building over a portion of the right-of-way of Henry Street in the 14th Ward of the City of Pittsburgh.

Which were read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 1355 Resolution amending Res. No. 471, appr. June 29, 1984, entitled: "Providing for the letting of a Contract or Contracts for the furnishing and delivery of Printer Acoustical Enclosures, at a cost not to exceed $25,000.00, payable from Code Account No. 1045, Index Code No. 104505, Equipment, Bureau of Information Systems, Dept. of the Mayor," by adding or for the use of existing Contracts. (PRIOR APPROVAL GRANTED BY COUNCIL SEPTEMBER 11, 1984)

Also,

No. 1356 Communication George Jacoby, Director, Dept. of General Services, requesting authorization for Robert Mill and Elaine Sadowski to attend the MCC Powers Conference on the basics of automatic temperature controls at the Holiday Inn, Parkway West in Pittsburgh, Pa., from Nov. 6-7, 1984, at a cost not to exceed $550.00, payable from Code Account No. 1128, Misc. Services, Dept. of General Services.

Which were read and referred to the Committee on General Services.

Mrs. Masloff presented

Resolution for an Agreement with Warner Cable Corporation of Pittsburgh and Warner-Amex Cable Communications, Inc., relieving them of certain rights and responsibilities in a cable television franchise. **(SPONSORED BY MRS. MASLOFF)**

Also,

Resolution providing for the transfer of the cable television franchise from Warner Cable Corporation of Pittsburgh to Pittsburgh Tele-Communications, Inc., and for the extension of the term of the franchise. **(SPONSORED BY MRS. MASLOFF)**

Which were read and referred to the Committee on Public Works.

Mr. Robinson:

Mr. President, I really don't want to do this at this time, but I think it is necessary to make a motion prior to that bill officially being accepted. I think there's an issue that needs to be resolved now. If the Chair would entertain a motion.

The Chair:

All we're doing is presenting it, Bill.

Mr. Robinson:

I understand that, but if the Chair would give me the opportunity to present the motion then I will move according to the Chair. I was going to save the motion until the end the session, but I think it's appropriate to make the motion now, before that bill is introduced.

The Chair:

I don't know the nature of your thing. It may be that that's what's necessary.

Mr. O'Malley:

This is relieving him of further obligations. I would like to know what those obligations are that we're —

The Chair:

Wait, all this is is the presentation of papers. It will come in the committee. We're not doing any releases today.

Mr. Givens:

My point is, this has to deal with the Warner Communication System and the Bureau of Cable Communication. Why was that not then put in the Public Works Committee where the Cable Bureau is?

The Chair:

She's been the Chairwoman of that Cable Committee all along.

Mr. Givens:

That is beside the point. Introductions of anything from the Cable Bureau must be from the Department of Public Works. That has been incorrectly introduced. I challenge the Chair on that. It should come under Public Works. It must come under Public Works, and this is the first that I have received notification of this. Is this a letter that has been sent out to all the Council people?

The Chair:

All it is is a presentation of a bill,

which is going to be discussed in committee.

Mr. Givens:

I agree with it it comes to a shock to many of my colleagues that the presentation is coming the way it is. Why were we not informed that the presenation was even coming? That's what my question might be, and I have to agree with you, Mr. President, that we will be discussing it in the future that this is in the Department of Public Works, and I would think that the public must be aware of this, and even though we had one public hearing on the first —

The Chair:

I don't see this one moving very fast anyhow. It's going to go through committees.

Mr. Givens:

Well, what I'm saying is there's a new proposal now that is almost before us. Council received only for the first time our documents on it this last Friday at least my office did. I was aware I think in listening to Channel 17 the government channel this week, that our Council's Advisory Committee has been discussing, and has already broken into committee for discussion for particular proposals that came to the Mayor some two weeks ago from today. Yet, only last Friday did we receive anything in this Council, and this Council must make a vote on them. We bring certain things up for clarification.

The Chair:

Yes, I agree with you but it's just the presentation of paper, which is going to come into committee, and then it's a matter of what we do with it.

Mr. Givens:

Well, then I suggest that that be put it into the committee that it should be properly introduced, and that is out of Public Works and the Bureau of Cable Communications.

Mr. Robinson:

Mr. President, if I might with the indulgence of the Chair. I'd like to proceed with my concern that the motion that I would like to make is appropriate at this time, and I would like to indicate why that motion is appropriate, and if the Chair would entertain the motion I will make it at this time.

Council, passed a resolution dated April 9, 1984 the Council bill is Council Bill 643 it was passed on May 14, 1984, that bill in Section 2 reads: this deals with a fiscal analysis of the Warner Cable Corporation of Pittsburgh and Warner Amex. The fiscal analysis shall be concluded prior to the City of Pittsburgh initiating any process to evaluate the sale and/or transfer of Warner Cable Corporation of Pittsburgh franchise right or the disposition of the City of Pittsburgh's right relative to acquisition of Warner Cable Corporation of Pittsburgh's equipment, financial obligations, assests or operating obligations. It would seem to me that Resolution 419, Council Bill 643 would preclude the introduction of the two bills at least preclude their introduction, and probably would preclude some activities that are probably going on right now.

The reason I want to raise the motion today and specifically now, it would appear to me that there has been substantial movement in the direction of possibly transferring the system, certainly transferring rights and obligations from Warner to some other party, and that if, in deed, we want to be

fully informed, and I thing proceeding properly we would not to violate the contents and directions of 643. My motion specifically relates to that, and if the Chair would entertain it I will read that. The members of Council have copies prepared for those that might want to review that motion.

The Chair:

Mr. Robinson, I'm faced with this dilemma and our share in it. I think this is only the presentation of papers and that I'm not disputing what you're saying. Whether that should be brought up at the Wednesday meeting or whether this should be held until next Monday at which time we find out the consequences of it. It would appear to me, however, that in order for us to initiate any kind of action including this fiscal analysis, you couldn't be able to do any of that until you had a bill on the record already, so that's kind of where we are at this point.

Mr. Robinson:

Excuse me, if the Chair would let me read the motion perhaps I could get some additional clarification. The motion reads: motion to suspend further consideration or evaluation of the Cable Television proposal submitted to the City of Pittsburgh by Tele-Communications Incorporated, until the Mayor and City Council receives and reviews the fiscal analysis of Warner Amex and Warner Cable Corporation of Pittsburgh requested in Council Bill 643 of 1984 that's the full content of the bill.

It seems to me that since we had these public hearings on the T.C.I. proposals, and since several members of this Council plus our City Solictors office requested additional information, and subsequent to that that information or a portion of it has been supplied, that we are moving toward a substantial evaluation of the possible transfer of the system.

As I interpret that that's in violation of 643. If you look back at the history of Council Bill 643 you will see it was introduced on April 23, 1984 around the time that we we read newspaper reports about the possible sale and transfer, and around the time Mr. Drew Lewis, Chairman accepted the letter to the City indicating a desire on the part of Warner Amex and T.C.I. to enter into a financial arrangement.

This bill was in the Public Works Committee on May 9th. It was discussed extensively, it was in committee on May 2nd, it was held for one week, it was discussed, and was finally passed on May 14, 1984. From the time we received Mr. Lewis's letter substantial movement has been made to transfer a sale system including this Council and the Mayor entertaining a proposal that was put together by T.C.I. and Warner.

Council Bill 643 very specifically in Section 2 says: the fiscal analysis shall be concluded prior to the City of Pittsburgh initiating any process to evaluate the sale and/or transfer. Section 4 says: a report of the fisal analysis shall be filed with City Council and the Mayor within 30 days of the completion of the analysis.

I have attached here to the material I'm reading from two pieces of correspondence that relates to this issue of trying to get the analysis. One is dated April 23rd the other is dated May 3rd. I think that it's incumbant upon us not to have any legislation introduced and certainly no legislation that's specific as those two pieces before me deal with the mandated Council Bill 643.

Michelle Madoff seconded the motion.

The Chair:

In view of the motion you're making, however, it would appear to me that that might be better to leave it in the committee and stop any action until those things are complied with, if I understand your motion correctly.

Mr. Robinson:

Well, I felt it was important to raise the issue now, because it would appear even in the face of 643, and even the face of public discussions on it. Two bills were introduced that specifically give the impression that the system is going to be transferred, and that certain rights and obligations are going to be tranferred.

I think that's going a bit far when we have no substantive information about the analysis requested in 643. I'm concerned if the bill goes into committee that we may face ourselves within the next couple of days with some action. Our City Solicitor's Department I would hope would work along with us to try to get the information requested in 643, because the City Solicitor is identified as one of the persons who worked on this.

I'm a little bit concerned at this point that we're moving so rapidly based on the T.C.I. analysis of the system, Warner's analysis of the system, and a proposal of the T.C.I. and Warner put together. This is a business deal that they want. It may be good or bad, but it seems to me that 643 says, let the City of Pittsburgh get its own fiscal information before we start any process to transfer. We've already had a public hearing based on the assumption we're going to transfer the system without having any kind of fiscal analysis of our own.

The Chair:

Well, for me personally I think there should have been a bill introduced a long time ago. I question how we can continue to talk about something under which there is no legislation before us, and it appears now that there is some legislation coming, and at this point it needs everything, what we've done in the past plus what we have to obviously do in the future.

I don't see a fast result on this issue unless I'm wrong, but I don't see a fast resolvement of it, but getting back to you, Mr. Robinson, as I'm understanding your motion your motion seems to lead me again to let it be presented, and then at that point nothing further to be done until those things are done.

Now, I'm asking for some guidence here, that's the way your motions coming off.

Mr. Robinson:

Well, all I'm saying, is at this point I've asked the Chair to entertain the motion based upon my explanation. I guess I have to wait now the decision of the Chair whether or not my motion would be in order at this time.

The Chair:

Your motion is saying that nothing more be done on the bill, which prompts me to say then the bill ought to go in, and nothing more to be done.

Mr. Robinson:

No, my motion very specifically says, that we should suspend further consideration or evaluation of the Cable Television proposal submitted to the City of Pittsburgh by Tele-Communications

Incorporated until the Mayor and City Council receive and review the fiscal analysis of Warner Amex and Warner Cable Corporation requested in Council Bill 643 of 1984.

My motion hopefully to be considered at this point would preclude the introduction of the two bills that the City Clerk read.

The Chair:

Are you saying that Council should not entertain any legislation until then?

Mr. Robinson:

At this point I don't see — because it evidently is based upon the re-evaluation that was submitted to us by Tele-Communications, Incorporated. Friday I received two volumes of their new proposal, and on Monday two bills introduced into Council to transfer the system.

The Chair:

Do I have a second to that motion?

Michelle Madoff seconded the motion.

Michelle Madoff:

May I respectfully remind this Council that Mr. Givens particularly and Councilman Robinson have repeatedly asked as I have to have an update and evaluation before anything was considered with reference to transferrring the Warner Contract, and in a sense I think that Councilman Robinson's motion today is redundant.

He already had his victory when we passed Bill 643 which says, that we were going to get an evaluation before anything was introduced. He should not have been put in the embarrassing position of having to introduce a motion on his motion, because he already won that victory.

We supported him, I believe unanimously and I would like to remind this esteem body that when we voted for a cable contract with two weeks notice it was a year that we were the year of champions. The Mayor was at the victory playoffs. We were given the information from the Advisory Board — I don't think we had three days to actually vote with the budget, the election, and everything else going on.

We were railroaded and we were stampeaded, and I don't want some judge now coming to us, and dealing with us privately as we did on the stadium, and say, this is really good it's the only way to go, and we'd appreciate your vote.

This Council does not have its own fiscal advisor, does not have its own fiscal analyst. I've asked that we hire someone to evaluate this, I even made a recommendation of the name of somebody. I don't care if you use that person. I thought he was acceptable to all of us, which was Jim Roddy. I think Mr. Woods said he doesn't need — or somebody said we don't need —

The Chair:

Michelle, excuse me, we are on the motion only.

Michelle Madoff:

Well, I'm addressing the motion. The motion is that Mr. Robinson has no need for this motion because he already won it, and the bill should not be introduced. The bill should be taken out, be removed from introduction, deleted, and we should immediately get an update of where we stand, and whether we're being windowdressing, railroaded,

and pushed into voting for something we know nothing about. As we did when we voted for the contract, because the proof of the pudding is that many of us were asked to buy stock in all kinds of cable companys. I said I wouldn't touch them. I don't think they're any good, and what happens is now we have a contract $100 million, and they're going bankrupt or they're going to walk away, and I don't want to see that happen again. Let's take the bill out, let's find out what's going on, and then let's talk about the bill.

Mr. Wagner:

Mr. President, in addition to the two objections made by my two colleagues, which I think are very valid objections to the introduction of this bill. Each and every other bill that is being presented or introducted today appeared on the agenda for the Mayor's conference meeting this morning. Now for what ever reason I do not know these two bills did not appear on that agenda. All Councilmembers here receive a copy of that agenda on Friday prior the Mayor's conference meeting or at the very latest Monday morning in the in box on their desk.

I for one found out right now that these two bills are being introduced. I think this is a violation of the normal operating proceedures of this Council. That these two bills would be introduced here on this floor without each and every member of this Council having any prior notice of that introduction. So, for that reason and for the reasons indicated by Mr. Givens and Mr. Robinson, I support the motion to reject the introduction.

The Chair:

We're not voting yet. Mr. Woods on the motion.

Mr. Woods:

Mr. President, at first when Councilman Robinson raised the issue I felt well why raise it we can discuss this thing Wednesday, and then hold forever until we go through the stuff that T.C.I. has presented us, but on Bill 643 that was passed May 14, 1984 we Council made a law, Section 2 of that and if we do entertain this introduction of this legislation we are violating our own law, and therefore, I don't believe that we should have these two bills introduced.

Mr. Givens:

Before the motion I wanted the clarification on this introduction of the bill and what committee it should go into, and I did not hear clarification from that.

The Chair:

Mr. Givens, she has been Chairwoman of that committee all along.

Mr. Givens:

That has nothing to do with that committee. I agree that she serves on the committee and as the Chair of the Council Adivsory Committee. This is legal legislation in the form of a letter, and it will be introduced as a bill sooner or later, and it must come through the committee or else we're in violation again of the proper committee.

The Chair:

It depends on how this vote comes out; your thing may be moot.

Mr. Givens:

It might be moot, but it's not moot I think before we even have that vote I'd ask clarification that that be put into the

Department of Public Works.

The Chair:

The Chair has no recourse but to entertain it, and we're entertaining his vote.

Mr. Givens:

Excuse me, I had a motion to you and it got into further dialogue.

The Chair:

I'm told it's reported to your committee after being presented.

Mr. Givens:

Thank you, and that's all I have on that, and I am joining my other colleagues, and I'm glad that Bill Robinson had the information right before us, and that Councilman Wagner had brought out the fact that it was not on Monday's agenda,, that some people attend in the Mayor's conference room. Nor did I receive as the Chairman of the Cable Bureau any communication whatsoever, so to introduce it would be out of order.

WHICH MOTION PREVAILED.

Michelle Madoff:

Excuese me, Mr. Stone, you did not finish the issue. When will we get a briefing?

The Chair:

You're asking me —

Michelle Madoff:

Well, I'm saying that Mr. Robinson made a specific request. I made it three times, Mr. Wagner. Mr. Givens has made the request. We've had no information. You are the President of this Council as of now. Will you as President of this Council see that this Council gets information that we've required?

The Chair:

Yes.

Michelle Madoff:

That's all I'm asking.

The Chair:

But let me say this much I just finished a motion, and everybody is already indicated that it just came to this table. Ok.

Michelle Madoff:

Mr. Stone, with all do respect the motion passed months ago. You are the President of this Council we did not get the information I am now calling upon you as the President of this Council to supply the information requested by myself, by Mr. Robinson, and by Mr. Givens.

The Chair:

When the Chair receives the information you shall receive it.

Michelle Madoff:

That is not a sufficient answer, because you may never receive that. That means that we need a President who can get that information.

Mr. O'Malley presented

No. 1357 Resolution transferring the sum of $50,000.00 from Code Account No. 1443 (144303), Salaries and Wages, Regular and Temporary

Employees, Dept. of Police, to Code Account No. 1443-6 (144360), In-Grade Pay, Dept. of Police.

Also,

No. 1358 Resolution transferring the sum of $20,000.00 from Code Account No. 1457 (145706), Purchase of Uniforms and Equipment, Dept. of Police, to Code Account No. 1446-1 (144618), Investigation Expenses, Dept. of Police. These monies are being transferred for the purpose of replenishing this Account in order to pay for continuous Vice Control Investigations until the end of the 1984 calendar year.

Which were read and referred to the Committee on Finance.

Mr. O'Malley moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Woods seconded the motion.

Which motion prevailed.

Also,

No. 1359 Resolution providing for the issuance of a warrant in favor of Taussig's Graphic Supply, Inc., in the amount of $816.10, for repairing the Kreonite Color Film Processor, chargeable to and payable from City-County Integrated Identification System Project (C-CIISP) Special Trust Fund No. 2, Pittsburgh National Bank.

Also,

No. 1360 Resolution providing for the issuance of a warrant in favor of Three-M-Business Products, in the amount of $700.94, for repairing the Reader-Printer in the Record Room, chargeable to and payable from Code Account No. 1451 (145102), Repairs, Dept. of Police.

Also,

No. 1361 Resolution providing for the issuance of a warrant in favor of Cole Publications, in the amount of $767.50, in payment for five Pittsburgh Cole Directories, chargeable to and payable Code Account No. 1447, Misc. Services, Dept. of Police.

Also,

No. 1362 Resolution transferring the sum of $3,000.00 from Code Account No. 1457, Purchase of Uniforms and Equipment, Dept. of Police, to Code Account No. 1451, Repairs, Dept. of Police.

Also,

No. 1363 Resolution providing for the issuance of a $1,783.50 warrant in favor of Susquehanna Fire Equipment, P.O. Box 209, Ewart, PA 17703, in payment of 29 sections of 1-3/4 inch Double Jacketed Polyester Fire Hose, payable from Code Account No. 1468, Equipment, Dept. of Fire.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1364 Resolution providing for accepting a grant from the Sears-Roebuck Foundation in the amount of $3,080.00 for the operation of the "Officer Friendly Program" to be conducted by the Crime Prevention Unit of the Dept. of Police. Said funds to be deposited in Pittsburgh National Bank, Special Trust Fund No. 2, for the

"Officer Friendly Program", or such other account as determined by the Dept. of Finance.

Also,

No. 1365 Communication from Glenn M. Cannon, Director, Emergency Medical Services, requesting authorization for G.J. Burgman and Douglas Garrestson to attend the annual state conference on Emergency Health Services in Harrisburg, PA, from June 20-24, 1984, at a cost not to exceed $137.55, payable from the EMS Non-Resident Trust Fund (EMNEAS). Permission is also requested for use of a City vehicle. Prior approval granted by Council June 18, 1984.

Which were read and referred to the Committee on Public Safety.

Michelle Madoff:

The Cole books who are they for please? Is it possible to extend that to get a Cole book for Council.

Mr. Perry:

We have one in here.

Michelle Madoff:

You do have a Cole book, the new one?

The Chair:

Hold on, we'll pick that up on Wednesday this is only introduction.

Michelle Madoff:

I just wanted to know whether it was possible.

Mr. Robinson presented

No. 1366 Resolution providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority for the administration of a special housing program utilizing the Neighborhood Housing Services, Inc., for the North Side.

Also,

No. 1367 Communication from Robert H. Lurcott, Director, Dept. of City Planning, requesting authorization for Reginald Young to attend the National Community Development Association 1984 Regional Training Conference in Philadelphia, PA, from October 4-5, 1984, at a cost not to exceed $450.00, payable from Code Account 4-35-01-0012-84-49-84-35, Program Administration.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 1368 Resolution providing for the issuance of a warrant in favor of G.J.M. Contractors, Inc., in the amount of $43,405.73, in payment for extra work completed to date, being in addition to the original contract price of $245,179.00 on Controller's Contract No. 26920, furnished for the benefit of the City in connection with the Reconstruction of the South Craig Street Sewer, payable from Code Account PW 83-17, 4-13-25-0753-83, Index Code #303958, Sanitary Sewer in Various Locations.

Which was read and referred to the Committee on Finance.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill

only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Michelle Madoff:

Our office along with Councilman Wagner has been working diligently on this problem on Craig Street. We tried through Mr. McDermott and some of his people, and the contractors to see what we could do to resolve some of the problems. We ran into a buzzsaw when we found out that the Law Department and the Controller's office would not approve this bill this pre-payment, because they're afraid that it will open the door to other contractors. It appears that this is a Wallace Act to be paid at the end of the work.

I think it's my esteem colleagues intention to introduce it when half the work is through so that when the men at work are through, they can therefore start paying it immediately, and have some of the premilinary work completed.

I think it would be very important for us to get an opinion from the Controller's office and from the Law Department, because I would like to see some relief for Craig Street.

The Chair:

Are you opposed to this being heard on Wednesday?

Michelle Madoff:

No, but I'm saying that on Wednesday, would we please have it. If it's alright with my colleague somebody from the Controller's office and somebody from the Law office to address the issue, and send it to them before, so we have an answer on Wednesday.

Mr. Wagner:

Mr. President, we have already obtained an opinion from both the Controller and the Solicitor prior to the introduction of this legislation.

Michelle Madoff:

And, what did they say?

Mr. Wagner:

They —

The Chair:

Hold on a minute. The question is whether it comes up on Wednesday. We can't be discussing bills on this day. It comes up on Wednesday.

Michelle Madoff:

I would still like to have them here to confirm that personally, if it's all right with you.

The Chair:

All right.

Also,

No. 1369 Resolution amending Res. No. 760, eff. Sept. 6, 1983, entitled: "Providing for a Contract or Contracts, or the use of existing Contracts, for the rehabilitation of playgrounds at various locations to be determined, and providing for the payment thereof," by increasing the amount from $230,000.00 to $280,000.00, payable from the 1983 Community Development Block Grant "Emergency Jobs Bill Program" PR 83-11 EJB

Playground Rehabilitation.

Also,

No. 1370 Resolution providing for a Cooperation Agreement or Agreements with Carnegie Library of Pittsburgh in connection with Renovations at the Central Branch Library, at a cost not to exceed $200,000.00, chargeable to and payable from Code Account LB 84-07, 4-13-89-1980-84, Index Code #352609, Central Branch Rehabilitation.

Also,

No. 1371 Resolution providing for a Cooperation Agreement or Agreements with Carnegie Library of Pittsbugh in connection miscellaneous renovations of the Central Branch and/or any Branch Library, at a cost not to exceed $60,000.00.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Woods presented

No. 1372 Resolution amending Res. No. 671, appr. Aug. 12, 1983, eff. Aug. 20, 1983, increasing the bonded indebtedness of the City by the issuance of general obligation bonds in the aggregate principal amount by authorizing a professional services contract with Mellon Bank, N. A. for professional services as Paying Agent and Registrar for the 1983 General Obligation Bonds for a period of five (5) years, from Sept. 1, 1983 through Aug. 31, 1988, at an annual cost not to exceed $25,000.00, chargeable to and payable from Code Account 1058, Index Code 105809, Sinking Fund Commission; and (2) to direct Mellon Bank, N. A. to authenticate the Bonds.

Michelle Madoff:

Excuse me, question on the bill. Somebody clarify that bill? I don't understand what we're introducing it for.

The Chair:

Michelle, these bills are now being introduced, they will be there on Wednesday or the following Wednesday at which time in committee all questions will be asked.

Michelle Madoff:

Mr. Stone, with do respect if you will indulge me as you did Councilman Robinson. My concern is that we have two budgets coming up, we are in terrible straights, and we're going to be introducing a bill on Wednesday that's going to further indebt the City. What I'd like to know — and the reason I'm asking the question is on Wednesday could we have the right people here to answer the questions?

The Chair:

All right.

Michelle Madoff:

So that we have them here on Wednesday, like Mr. Schmeiser, somebody from Mellon Bank, whoever from the Mayor's office who feels it's necessary to issue this bill, and all parties concerned.

So this Council can get information, and not be in the embarrassing position that Mr. Robinson is in of introducing a bill, getting the vote of Council, and never getting the information.

Also,

No. 1373 Resolution transferring $25,000.00 from Code Account 57 (005702), Social Security Fund, Dept. of Finance, to Code Account 1058 (105809), Sinking Fund Commission. The purpose of the transfer of monies is necessary because funds were not budgeted to cover the cost of the contract with Mellon Bank to serve as bond registrar for the 1983 bond issue. A registrar is now required under federal law and was not necessary prior to 1983.

Which were read and referred to the Committee on Finance.

Mr. Woods moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Mr. Robinson:

The Mayor has appointed a Task Force to study the awarding of Professional Services Contracts. It's my understanding that they were supposed to have a report to him on September 15th. I do not know whether that report was available, but I did meet with Mr. Watson and Mr. Pellegini, who are members of that committee. I think it would be appropriate for them to be present on Wednesday if this bill relative to Mellon Bank is going to be considered.

I have another motion that I will reserve until after the Council session that relates to this whole issue of Professional Services Contracts.

The Chair:

All in favor signify by saying aye?

Opposed?

Michelle Madoff:

I Abstain.

Also,

No. 1374 Resolution providing for the issuance of a warrant in favor of Financial Press Corporation in the amount of $7,489.80, for services relative to the printing and binding of the 1982 Pittsburgh Municipal Record, chargeable to and payable from Code Account No. 1005-2 (100529), Printing Municipal Record

Also,

No. 1375 Resolution providing for the issuance of a warrant in favor of Volpe-Rogal Inc. in the amount of $115,250.00 for services rendered for the administration of the Workmen's Compensation Fund for June, July and August of 1984, chargeable to and payable from Code Account 44 (004408), Workmen's Compensation Fund, Dept. of Finance.

Also,

No. 1376 Resolution providing for the issuance of a $2,314.50 warrant in favor of Colonial Taxi & Paratransit Service, Inc., for vehicle damage by a City refuse truck, payable from Code Account No. 46, Judgments.

Also,

No. 1377 Resolution providing for the issuance of a $982.00 warrant in favor of Community College of Allegheny County for property damage by the Dept. of Public Works, payable from Code Account No. 46, Judgments.

Also,

No. 1378 Resolution transferring the sum of $25,000.00 from Code Account No. 1046, Regular & Temporary Employees, Dept. of the City Controller to Code Account No. 1048, Misc. Services, Dept. of City Controller. The transfer will provide sufficient funds to cover current and future expenditures for the remainder of 1984.

Also,

No. 1379 Resolution providing for the transfer of funds in the amount of $30,000.00 from Code Account 57 (005702), Social Security Fund, to Code Account 1017 (101709), Misc. Services, Office of the Mayor, Mayor's Office.

Also,

No. 1380 Resolution providing for an Agreement or Agreements with a Consultant or Consultants to aid the Mayor's Task Force on Women in Renaissance II in its women's business enterprise purchasing program. Responsibilities of the Consultant(s) are to include women's business enterprise recruitment, and purchasing procedure review aimed at increasing women's business enterprise participation in the City's purchasing program, at a cost not to exceed $30,000.00, chargeable to and payable from Code Account 1017 (101709), Misc. Services, Office of the Mayor, Mayor's Office.

Also,

No. 1381 Communication from Thomas Flaherty, Controller, City of Pittsburgh, requesting authorization for Robert Kubit to attend the 1984 Annual Conference of the International City Management Association to be held in San Antonio, Texas from Sept. 15-20, 1984, at a cost not to exceed $1,600.00, chargeable to and payable from Code Account No. 1048, Misc. Services. Prior approval granted by Council August 17, 1984.

Also,

No. 1382 Communication from Melanie J. Smith, Director, Dept. of Personnel & Civil Service Commission, requesting authorization for Bernard Schneider and Carol Finelli to attend a seminar sponsored by the American Arbitration Association on Employee Termination at the Pittsburgh Hilton Hotel on October 17, 1984, at a cost not to exceed $300.00, payable from Code Account No. 1100, Misc. Services.

Also,

No. 1383 Communication from Melanie J. Smith, Director, Dept. of Personnel & Civil Service Commission, requesting authorization for Sylvia Robinson to attend a seminar on personnel record keeping at the Greentree Marriott Inn on November 7, 1984, at a cost not to exceed $225.00, payable from Code Account No. 1100, Misc. Services.

Also,

No. 1384 Communication from Ronald C. Schmeiser, Director, Dept. of Finance, requesting authorization for himself to attend the Pennsylvania League of Cities Fall Legislative Conference in Harrisburg, PA, on September 18, 1984, at a cost not to exceed $200.00, payable from Code Account No. 1063, Misc. Services, Dept. of Finance. Prior approval granted by Council September 4, 1984.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 1385 Resolution providing for

an Agreement or Agreements with Addison Terrace Learning Center in connection with their Pre-Teen Drug and Alcohol Prevention Program, at a cost not to exceed $10,000.00, chargeable to and payable from Code Account No. 1447, Index Code 144709, Misc. Services, Dept. of Police; and transferring the sum of $10,000.00 from Code Account No. 10, Index Code 001008, Accounts Misc. Services, Dept. of Police. **(SPONSORED BY MR. STONE)**

Which was read and referred to the Committee on Public Safety.

Mr. Woods moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 1386

Report of the Committee on Finance for September 12, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1234

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of $24,164.80, in payment for the purchase of 440 pairs of work boots without authority of law and providing for the payment thereof."

Which was read.

Also,

Bill No. 1287

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Allied Security Inc., in the amount of $813.66 in payment for guard services furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1288

A Resolution entitled, "Resolution authorizing the transfer of funds from the Department of Parks and Recreation's Code Account 1803

(180307), Utilities, the amount of $50,000.00 to Code Account 1800-1 (180018), Bureau of Administration Premium Pay."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1301

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Pugliano Construction Company in the amount of $3,550.00, in payment for Extra Work, being in addition to the original contract price of $527,500.00 on Controller's Contract No. 26716, furnished for the benefit of the City in connection with the general construction contract at the new Riverview Park Pool and Bathhouse; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1305

A Resolution entitled, "Resolution providing for the issuance of a $2,850.00 warrant in favor of Lorenz Avenue Baptist Church in settlement of claim for property damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 1306

A Resolution entitled, "Resolution providing for the issuance of a $1,298.43 warrant in favor of Adolph Sufrin, Inc. in settlement of claim for property damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1308

A Resolution entitled, "Resolution transferring the sum of $15,000.00, between code accounts within the Department of City Controller."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1309

A Resolution entitled, "Resolution transferring Forty Thousand Dollars ($40,000.00) from Code Account No. 57 (0005702), Social Security Fund, Department of Finance to Code Account No. 1100 (110007), Miscellaneous Services, Department of Personnel and Civil Service Commission."

Which was read.

Mr. Givens:

I vote no on 1309 and the reasons I give there is for future Specialized Labor Relations Consulting Services. We're talking about increasing it to some $23,000 from a $40,000. Transferring some $40,000 over for our people in the City here. To bring outside consultants to handle people like our own Fire Department, Police Department, Public Works, and other things.

I don't believe we need that type of expertise. If the Administration with all the high fired executives that are over there in the Labor Relations Field do not have the expertise then I think something's wrong with that department. I don't think there's anything wrong with that department, so I don't think there's any need for us to extend $40,000 of the taxpayers money to get further into more deliberations where everything is settled in binding arbitration.

Why can't the parties get together; that's what I'm saying. I think when you bring in these second and third parties and attorneys that are representing them, I think it bottles up the water.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mr. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 7 NOES 1

(MR. GIVENS VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1307

A Resolution entitled, "Resolution providing for the issuance of a $5,216.38 warrant in favor of Barry and Edvige Chersky in settlement of claim for property damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1310

A Resolution entitled, "Resolution amending Resolution No. 917, approved October 10, 1983, effective October 27, 1983, entitled: 'Providing for the City Controller to enter into a contract or contracts, or for the use of existing contracts, to purchase hardware from Honeywell Information Systems, Inc.', to increase the amount allocated from $130,000.00 to $150,000.00."

Which was read.

Also,

Bill No. 1311

A Resolution entitled, "Resolution providing for the City Controller and the Director of General Services to enter into a contract or contracts, or for the use of existing contracts, to purchase and install work stations, carpeting and chairs for Fiscal and Performance Auditors' Offices."

Which was read.

Also,

Bill No. 1312

A Resolution entitled, "Resolution providing for the City Controller to enter into a contract or contracts with Peat, Marwick, Mitchell and Company for software and software implementation of a Fixed Asset Accounting and Control System."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1313

A Resolution entitled, "Resolution amending Resolution No. 71, approved February 16, 1984, entitled, 'Providing for an Agreement with a Physician or Physicians, for professional services in connection with the examination of candidates for employment such as police officers, firefighters, paramedics, school crossing guards, and extra helpers; and providing for the payment for the cost thereof.'"

Which was read.

Also,

Bill No. 1314

A Resolution entitled, "Resolution amending Resolution No. 74, approved February 16, 1984 entitled, 'Providing for an Agreement or Agreements with various hospitals and/or physicians for professional services in connection with the administration and evaluation of medical examinations and tests for the Civil Service Commission's Medical Examination Program for Police Officer candidates, Firefighter candidates, and other candidates for employment and promotion; and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 1315

A Resolution entitled, "Resolution amending Resolution No. 493, approved June 14, 1984, entitled, 'Providing for an Agreement or Agreements for specialized professional services in connection with conduct of negotiations and arbitration proceedings including labor relations advice, representation at negotiating meetings and economic and job evaluation advice, and related personnel matters; and providing for the payment of the cost thereof.'"

Which was read.

Mr. Woods:

If I may, I would like to make a motion to recommit Bill 1313, 1314, and 1315.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Givens:

Did you include also in that Ben, Bill 1309. I think that was part of that package. Maybe that was separate. 1315 deals with including labor relations, advise, representation and negotiating. 1309 and 1315 were companion bills.

1309 it deals with the future specialized professional labor relations consulting services, and then 1315 is talking about including labor relations advise representation at the negotiating meeting. They're one in the same I believe; are they not? Chief Clerk could you —

The Chair:

Before you pick that up 1309.

Mr. Woods:

Dick 1309 is transferring the money. There's nothing wrong with that. 1314 and 1315 is the one we're interesting in.

Mr. Givens:

Okay.

The Chair:

It's a different — they're not companion bills.

Mr. Givens:

On Bill 1309 I figured not to transfer anything over until the other three bills are brought up in committee for discussion. I can't see transferring funds over. We should do it all at one time or do nothing.

I'd like and it comes under the papers introduced in Council in Committee under Finance, but of course they do come up here today, and that was Bill 1320 through 1324, which were all travel bills. They were introduced and passed last Wednesday.

The Chair:

Wait, we're voting on these bills.

Mr. Givens:

I know, let me finish my comment it has to do with these other bills, and I want my remarks. I'm trying to explain, I'm want my remarks from the Wednesday session to be brought forward in today's municipal records on those bills totalling some $5,200 in travel expenses only for that one week, and I have a letter that was sent out to all the Directors asking them too — as much as possible and in only in matters of safety and health and welfare to the people of the City of Pittsburgh; and I'm looking at the safety aspects police, fire, emergency medical to hold, that on all of our different communications of sending people here, there and everywhere. On that one week they're tallied up to over $5,200, and we have $31 million shortage looking us in the face.

If the Supreme Court of this state rules in favor of the two cases pending before us the Monroeville case and the Pittsburgh case on the income, and we tax the peoples income as far as we have, and it's a very serious thing. You were not at that meeting Mr. President, and I thought I might be on that, and I would like those remarks to be brought forward, so it's in the municipal record, thank you.

(MR. GIVENS' REMARKS ON BILL NOS. 1320 THROUGH 1324 FROM WEDNESDAY, 9/12/84)

Mr. Givens:

As I echoed last week, we have something very hard facing this Council and facing this Administration and that is a $31 million possible deficit because of a tax question before the Commonwealth and now the Supreme Court of the State of Pennsylvania. I've asked all the directors that only where absolutely necessary, to send people on trips anyplace because that is one area that we can cut back in.

Another area we can cut back in is supplies and I think we have to tighten our belts up. If the Mayor is putting the freeze on the hiring of people, then we have to put somewhat of a freeze on the purchasing of equipment and the sending

of people anyplace within the country because otherwise, we want to be in a more favorable position that what we might be in if the Supreme Court decision comes down, because it is going to be a dramatic one.

I want to try and save as much money as we can and only because of that situation. I think people should travel and they should be educated and everything else, but when the buck is not there, when the dollars that are facing us in the future are going to be critical, then I think we in this Council must then ask ourselves that these not be appropriated and that the directors, before they send anybody anywhere or purchase any equipment, major equipment, that we could forestall until this final decree comes down from the Supreme Court and that we hold everything almost in obeyance and hopefully that will come in shortly. For that reason, I will vote no on all travel requests and all future travel requests until something comes up that might relieve this situation.

(END OF MR. GIVENS' REMARKS)

Michelle Madoff:

Mr. President, did we ever get an answer to the letter that was sent from this Council by Mike Perry to the judge asking for clarification on the issue of the lists since we're going out for testing? Did we get the answer back yet? I saw the letter, Linda sent me a copy of the letter. We've never had a response. Have you received a response that we have not received? Could we please send a second letter to the judge, because we're now about to expend — are you familiar with the situation?

The Chair:

Are you talking about the testing, Michelle?

Michelle Madoff:

Yes.

The Chair:

That bill's not up now.

Michelle Madoff:

True, but I'm just asking whether we got an answer to the letter. It's a matter of again are we getting information before it does come in. I'm just asking if we received an answer to those letters, because the bills will come again, and we again will have no information, we'll again vote in the back.

Also,

Bill No. 1316

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Finance, on behalf of the City of Pittsburgh, County of Allegheny and School District of Pittsburgh to transfer its rights, title and interest, if any, for certain Three Taxing Bodies' properties in the 24th Ward of the City of Pittsburgh to the Pennsylvania Department of Transportation. Deeds to be in Quit Claim form for a total consideration of $8,750.00 as indicated per the listing."

Which was read.

Also,

Bill No. 1317

A Resolution entitled, "Resolution providing for the filing of a petition for the exoneration of taxes and transfer of properties in accordance with the laws applicable for transfer."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 1387

Report of the Committee on Public Works for September 12, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1281

A Resolution entitled, "Resolution vacating Denver Street from the East line of Gomez Way to the West line of Dover Street, and abandoning the 6-inch water line located therein after it is cut, plugged and concrete blocked by and at the expense of the Goal Company, owner of the abutting property, in the 5th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1283

A Resolution entitled, "Resolution accepting the Dedication of Property at the Eastern End of Gem Way, to be used for a turn-around and public purposes, in the 10th Ward, City of Pittsburgh."

Which was read.

Mr. Givens:

On Bills 1284 and 1285 which were communications, I'd like my comments to be brought forward. The same here again in my own committee over $2,900 on travel, and I cannot condone that at this particular time.

(MR. GIVENS' REMARKS ON BILL NOS. 1284 & 1285 FROM WEDNESDAY, 9/12/84)

Mr. Givens:

As I echoed last week, we have something very hard facing this Council and facing this Administration and that is a $31 million possible deficit because of a tax question before the Commonwealth and now the Supreme Court of the State of Pennsylvania. I've asked all the directors that only where absolutely necessary, to send people on trips anyplace because that is one area that we can cut back in.

Another area we can cut back in is supplies and I think we have to tighten our belts up. If the Mayor is putting the freeze on the hiring of people, then we have to put somewhat of a freeze on the purchasing of equipment and the sending of people anyplace within the country

because otherwise, we want to be in a more favorable position that what we might be in if the Supreme Court decision comes down, because it is going to be a dramatic one.

I want to try and save as much money as we can and only because of that situation. I think people should travel and they should be educated and everything else, but when the buck is not there, when the dollars that are facing us in the future are going to be critical, then I think we in this Council must then ask ourselves that these not be appropriated and that the directors, before they send anybody anywhere or purchase any equipment, major equipment, that we could forestall until this final decree comes down from the Supreme Court and that we hold everything almost in obeyance and hopefully that will come in shortly. For that reason, I will vote no on all travel requests and all future travel requests until something comes up that might relieve this situation.

(END OF MR. GIVENS' REMARKS)

Michelle Madoff:

Mr. Chairman, the money spent for traveling for our people to learn to be more efficient to save us money will be cost effective.

I vote aye.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 1388

Report of the Committee on General Services for September 12, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1289

A Resolution entitled, "Resolution providing for the letting of a contract or contracts or the use of existing contracts for the furnishing and delivery of one (1) Brush Chipper for the Department of Parks and Recreation, payable from Code Account 1808 (180802), Equipment, Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

Bill No. 1389

Report of the Committee on Parks and Recreation for September 12, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1290

A Resolution entitled, "Resolution providing for a lease or leases and/or License Agreement for the use of the facilities at 200 Tabor Street in the amount not to exceed $8,400.00."

Which was read.

Mr. Givens:

Here again there are communications from Bill 1291, 1292, 1293, 1294, 1295, 1296, and 1297 I want my remarks to be brought forward. There are several thousand dollars in the Committee on Parks and Recreation for travel outside the City of Pittsburgh.

(MR. GIVENS' REMARKS ON BILL NOS. 1291, 1292, 1293, 1294, 1295, 1296, & 1297 FROM WEDNESDAY, 9/12/84)

Mr. Givens:

As I echoed last week, we have something very hard facing this Council and facing this Administration and that is a $31 million possible deficit because of a tax question before the Commonwealth and now the Supreme Court of the State of Pennsylvania. I've asked all the directors that only where absolutely necessary, to send people on trips anyplace because that is one area that we can cut back in.

Another area we can cut back in is supplies and I think we have to tighten our belts up. If the Mayor is putting the freeze on the hiring of people, then we have to put somewhat of a freeze on the purchasing of equipment and the sending of people anyplace within the country because otherwise, we want to be in a more favorable position that what we might be in if the Supreme Court decision comes down, because it is going to be a dramatic one.

I want to try and save as much money as we can and only because of that situation. I think people should travel and they should be educated and everything else, but when the buck is not there, when the dollars that are facing us in the future are going to be critical, then I think we in this Council must then ask ourselves that these not be appropriated and that the directors, before they send anybody anywhere or purchase any equipment, major equipment, that we could forestall until this final decree comes down from the Supreme Court and that we hold everything almost in obeyance and hopefully that will come in shortly. For that reason, I will vote no on all travel requests and all future travel requests until something comes up that might relieve this situation.

(END OF MR. GIVENS' REMARKS)

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 1390

Report of the Committee on Engineering and Construction for September 12, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1302

A Resolution entitled, "Resolution amending Resolution No. 83, approved September 24, 1982, and effective October 8, 1982, entitled, 'A Resolution providing for a Contract or Contracts for the reconstruction of the McArdle Roadway and the replacement of the McArdle Roadway Bridge, from the Liberty Bridge to Grandview Avenue including necessary work on private property and other work incidental thereto; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof' by additionally providing for reimbursement by the City of Pittsburgh to the Commonwealth Department of Transportation for work performed by the Commonwealth."

Which was read.

Michelle Madoff:

On Bill 1302 on the McArdle there's a line from the Liberty Bridge to Grandview Avenue including necessary work on private property and other work incidental thereof. I would assume that other work incidental thereof would also include the Burma Road, and the Burma Road —

The Chair:

No, it doesn't mean that. It means in a specifc sense they're going to do the road and anything incidentally that's required to do to complete it. That's general legal jargon.

Michelle Madoff:

Well, just for the record the Burma Road is terribly unsafe. I don't know why they did not widen it at two points going around sharp curves when they were reconstructing it, it is a hazard.

Mr. Wagner, isn't that your committee?

Mr. Wagner:

Yes.

Michelle Madoff:

Would you please take a ride on the road, if you have not already, and you will see that it is a death trap, and see what we can do to widen it in the two spots.

Mr. Wagner:

The entire project for Sycamore Street the Burma Road was financed by the Port Authority and that wasn't a City of Pittsburgh contract.

Michelle Madoff:

Well, we've got to do something about it then, and perhaps this Council ought to all take a ride, and then get in touch with Port Authority, and tell them that that it is entirely unacceptable, because if they don't do something about it then I'm going to file an action against Port Authority, and I'm sure that I will be joined by the people using that pass through to the South Hills, West End, and to Mount Washington, it is treacherous.

Also,

Bill No. 1303

A Resolution entitled, "Resolution providing for a Contract or Contracts for the Repaving of Roseanne Avenue from Younger Avenue to Cul-de-Sac, including work on private property and other work incidental thereto; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1304

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Center for the Arts to implement the design of modification to the Center's facilities for the removal of architectural barriers for the handicapped; and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

I have a couple of things I'd like to cover first. There may be a special meeting Wednesday morning at 9:15 for a briefing for members of Council. See Mr. Perry in the morning and he'll give you more information.

One thing I'd like to cover, we were on that Warner thing, as far as Warner Cable is concerned, I had already gone public with the statement that I would not entertain any information relative to Warner until they withdraw their petition

for reclarification with the Federal Communications Commission and it's my understanding that as of yesterday they did withdraw it and it is, I think, now at least hopefully removing a contradictory position which Warner and TCI have had up until now whereby they were trying to get a reclassification which could have exposed this City to a $5 million potential liability and at the same time trying to ask us to deal in good faith when they themselves were not dealing in good faith. It's now withdrawn and that makes a difference and I'm glad to see that finally once and for all.

Michelle Madoff:

Same subject.

The Chair:

He was on the same subject also.

Michelle Madoff:

Excuse me, Mr. Robinson. May I?

Mr. Robinson:

I would just like to have a quorum here when I make my motions.

Michelle Madoff:

I just wanted to ask one question, if I may, very quickly.

Mr. Robinson:

I just would like to have the courtesy of having a quorum.

Michelle Madoff:

I'm not planning to leave and I'd ask members of Council not to leave. May I ask my question?

Mr. Robinson:

If the Chair will allow it.

The Chair:

Go ahead.

Michelle Madoff:

One of the reasons that I was not prepared to vote at all on the transfer of Warner to anybody is the guarantee that there will be everybody in the City who wants to be connected to the system, to a cable system, will be connected. We've not had an answer to that. Have you had that answer?

The Chair:

There has been some discussion back and forth but as I indicated I don't see this thing moving very rapidly so I don't know that anyone —

Michelle Madoff:

Will it be before the end of this year? Do you see it before the end of this year?

The Chair:

I don't have the slightest idea. I don't see anything that causes me to move.

Michelle Madoff:

Thank you.

Mr. Robinson:

Thank you, Mr. President. If the City Clerk will distribute these motions — I've taken the liberty of typing them up. I have three motions that specifically relate to Council Bill 1110 which was passed and approved on

August 6, 1984 and became effective August 21, 1984. Council Bill 1110 specifically deals with the authorization that this Council and the Mayor gave to the Urban Redevelopment Authority to issue mortgage revenue bonds and I have three motions I'd like to have Council entertain relative to that bill.

The first motion reads as follows: "Motion to have City Solicitor, Dante Pellegrini, review Council Bill 1110 of 1984 to determine the legal and substantive compliance of the Urban Redevelopment Authority with the legislative mandate of Council Bill 1110 and for the City Solicitor to verify by way of a written opinion that the Urban Redevelopment Authority is executing the provisions of Council Bill 1110 relative to the issue of mortgage revenue bonds in accordance with the legal and substantive aspects of Council Bill 1110."

Mr. O'Malley:

If I might comment, there seems to be two parts to this bill; one, you're asking the City Solicitor to review Council Bill 1110 to determine if it's legal, and in the second part of the same paragraph you're asking the City Solicitor to verify if URA has come into compliance with Council Bill 1110. Is that right?

Mr. Robinson:

No, the motion is asking the City Solicitor in effect to determine by way of a written report to this Council whether or not the Urban Redevelopment Authority followed the substantive and legal mandates of Council Bill 1110.

The Chair:

Whether it's in compliance with Council's bill.

Mr. Robinson:

Right. I have two other motions that are motions that relate specifically with this process.

Mr. Givens:

Discussion.

The Chair:

Why don't you give them all, Bill?

Mr. Givens:

No, excuse me, Mr. President. I have received and I hope all of Council has received —

The Chair:

Dick, hold on a minute. As I see your motions here, they're all really allied in companion. So, go through them all and we'll decide what we're going to do with it. One depends on the other; you're asking to do something and after that you set a time limit so why shouldn't they be together?

Mr. Givens:

I have discussion on the first motion.

The Chair:

Okay but let's get the whole thing.

Mr. Givens:

Excuse me. On the first motion; I think —

The Chair:

You're out of order. Go back and get the rest of the motions.

Mr. Givens:

Bob, wait a minute. There has been a letter that's been —

The Chair:

I'll come back to you, Dick. I just want to hear all of his motions. Hold on.

Mr. Robinson:

The second motion reads: "Motion to have City Solicitor, Dante Pellegrini, provide as part of his written opinion on Council 1110 a written verification of the process and procedure utilized by the Urban Redevelopment Authority to comply substantively and legally with Council Bill 1110."

The third motion is: "Motion to have the written opinion and report from Solicitor Pellegrini to be filed with the City Clerk 48 hours prior to City Council in Committee acting upon any bond issue legislation."

Michelle Madoff:

Point of clarification. Could you tell me what Council Bill 1110 is, please?

Mr. Robinson:

Council Bill 1110 contains two issues. The issues really should have been separated and that was recommended to the Urban Redevelopment Authority but they submitted the legislation and we entertained it without that division.

The first portion of Council Bill 1110 authorizes the Urban Redevelopment Authority to carry out certain aspects of the Community Development Block Grant Program for the City of Pittsburgh during the year 1984.

The second portion of Council Bill 1110 authorizes the Urban Redevelopment Authority to issue mortgage revenue bonds to finance two of our housing assistance programs.

Michelle Madoff:

Has there been some reason that you question what they've done? Do you have some reason for wanting this? Specifically?

Mr. Robinson:

The Urban Revelopment Authority took action at their last meeting, I believe that was their official meeting last Thursday for the month of September, relative to the bonding aspects of Council Bill 1110. That is, those procedures that were outlined in Council Bill 1110 were detailed and approved by the Urban Redevelopment Authority. They are now in a position to actually have the bonds issued and serviced. Inasmuch as this is the first time that this procedure has been used in the City of Pittsburgh, and it's my understanding the first time anywhere in the United States, it seems to me that it would be very helpful for us to have our City Solicitor detail for us exactly how this process was accomplished and to make sure the Urban Redevelopment Authority followed the legislative mandate.

The Chair:

Mr. Robinson, let me touch number two, if I may. If it's totally in legal and substantive compliance, then what is two trying to do?

Mr. Robinson:

I'm not a lawyer, and I'm not saying that to in any way be flip. I think that it's important for us to make sure that

all the legal and substantive aspects of legislation that we pass are followed, particularly when we give a mandate to an agency outside of City government, immediately outside of City government. Since the authority had to follow a procedure that did not outline in every detail all the steps they should follow, I think it's important for us to have this information, one, because of the Urban Redevelopment Authority's quasi independent stand and two, because the issue that was being addressed by the amendments relative to the procedures for the issuance of bonds and servicing bonds probably could be applicable to other bond issues not only by the Urban Redevelopment Authority but other authorities in the City and by the City itself.

There will be a bond issue before City Council on Wednesday, if my memory serves me correct, for $6.3 million for the Equipment Leasing Authority. There is a bill that we just considered today that would provide roughly $125,000 to Mellon Bank to service some bonds that have already been issued and I believe there's an anticipation on party administration that we are going to have other bond issues in the City of Pittsburgh.

The Chair:

Does your number three apply to all bond issues?

Mr. Robinson:

Number three would apply to any bond issue legislation. The idea is to make sure that we have from the Solicitor information 48 hours in advance that we can review prior to taking any action on any future bond legislation.

The Chair:

That's generally what your bond counsel does.

Mr. Robinson:

No.

The Chair:

You see, I thought this number three is modifying the other two.

Mr. Robinson:

No. Motion number three specifically relates to the first two motions. You are correct in that regard. If indeed motions one and two pass and we do not have Mr. Pellegrini's opinion or report by Wednesday, we will be considering bond issue legislation, two pieces of legislation. I would hope that Council would not want to consider any additional bond legislation until we determine if the process we establish for the URA is valuable as we go out on other bond issues.

The Chair:

If you restrict your number three to what you're talking about before I think I could live with it. Otherwise I can't because you don't know what's going to come up in consequences.

Mr. Robinson:

As I mentioned, if these two bills pass within a 48 hour period you will have two bond issues that will come up.

The Chair:

Yes, but relative to URA.

Mr. Robinson:

No, they will not be relative to URA. One will deal with the Equipment Leasing Authority; the other will deal with Mellon Bank servicing some bonds issued in the year 1983.

Mr. Givens:

There was a bill brought up, this whole issue or part of it, in regard to the development of the Stanley Theatre along with that of the Allegheny International. That was on Wednesday. On Thursday, the Urban Redevelopment Authority had their board meeting which as a member of this Council I sit on that board.

The Chair:

Excuse me. I don't think that's what he's talking about. He's not talking about that one now; he's talking about general revenue bonds or mortgage bonds. Right, Bill?

Mr. Robinson:

Precisely.

Mr. Givens:

He's talking about the Stanley Theatre bonds.

The Chair:

No. He's talking about general bonds.

Michelle Madoff:

You know like travel expenses, spending money? He's talking about spending money on bonds. His is a lot more than your bill.

Mr. Givens:

Okay, that's bonds in general. At any rate, I still want to make a report —

The Chair:

Mr. Givens, let's talk about this particular motion first.

Mr. O'Malley:

I have no problem supporting Mr. Robinson's motion number one and motion number two. I cannot support motion number three.

Michelle Madoff:

Why?

Mr. O'Malley:

Well, if in fact the URA has not come in compliance with Council Bill 1110, I don't feel that we should be penalizing the rest of the City of Pittsburgh by not going out on other much needed bond issues. If in fact URA is not in compliance with Council Bill 1110, then we should come up with other ways to bring them in to compliance. It's my understanding that, motion number three would prevent the City from going out on any bond issue. There is much need of Public Works projects —

Michelle Madoff:

He's not preventing it; he just says let us know about it.

Mr. O'Malley:

This motion number three, if I'm correct Mr. Robinson, would prevent the City of Pittsburgh from going out on any bond issue and in fact would penalize Public Works projects in many areas in the City of Pittsburgh.

Mr. Robinson:

No. All the third motion says, and I'm not trying to make it complicated, all it says is before we consider any legislation which deals with bonds we must have Mr. Pellegrini's report 48 hours in advance. Now, that 48 hours, as far as this motion is concerned, is up to Mr. Pellegrini. I'm not presupposing when he can get the information that's requested in motion one and motion two; I'm simply saying, in fairness to everybody, this coming Wednesday there are two bond issues, two bond related issues, that are on the agenda. One deals with the Equipment Leasing Authority, the other deals with a bill that was in Mr. Woods' committee today relative to Mellon Bank servicing some bonds that have already been issued. Now, if those bills were not in Committee on Wednesday, I would not have made motion number three. It seems to me that if we get the information from one and two and determine what the Urban Redevelopment Authority did and properly evaluate it, it might have some positive impact on what we might do on other bond issues. I'm not presupposing they have or have not complied with 1110 but as I said, it's the first time this has ever been done in the United States, much less in the City of Pittsburgh, for an Urban Redevelopment Authority to select bond counsel, underwriters and underwriters' counsel by the procedure that we established.

Without talking out of school, and I wasn't going to bring this up because I do not have in my possession verification for this, but it is my understanding and perhaps Councilman Givens can verify it and I would assume that the records could be secured, the Urban Redevelopment Authority felt or feels that the procedures that we outline for them in Council Bill 1110 were not only positive and helpful but ones that they would like to use in the future because they feel they were in the best interest of the Authority itself. The Urban Redevelopment Authority is one of the major authorities in this City that issues bonds. If they feel that way, and that can be documented and we can look at that procedure, perhaps by improving on that procedure or using the exact same procedure we might do the people of the City of Pittsburgh a great favor by issuing our bonds under a new set of procedures.

Mr. O'Malley:

If I might, I take it from what you just said that motion three has absolutely nothing to do with motions one and two. It doesn't. Motion three says, and my opinion is that it applies to one and two, a written opinion and report from Solicitor Dan Pellegrini and a written report on motion one and two shall be filed with the City Clerk 48 hours prior to City Council in Committee acting upon "any bond issue legislation".

Reading that, I would take it that that applies to motion one and two and I cannot support that.

Michelle Madoff:

Mr. Robinson, may I suggest respectfully that we take one and two and then we take three separately?

Mr. Robinson:

With all due respect to members of Council, it was the Chair that asked to have all three motions read. I was going to read them individually and have them considered individually.

The Chair:

The reason for it is, and I subscribe to what Mr. O'Malley has indicated, I

thought this was one, two, three under the same thing. The three, as you are now amplifying it, ends out being more dangerous than I thought it was before.

Mr. Robinson:

Dangerous? In what sense?

The Chair:

Let me explain. It's legislating when you don't know the ramifications of it and that's worse. If I knew what it was, I don't mind legislating. But what you're saying, we're just doing in a general sense.

Number three, it fits naturally with one and two, saying that the written opinion above shall be filed within a time limit, namely 48 hours. I would stop there and that would satisfy all of us, in my opinion. But when you say that this now stops any other bond issue or you take three away from one and two, you are now saying, and I don't know the present ramifications of it and I may be putting some obstacle in front of myself that I don't want to. I don't know what the answers are but before I act, I'd like to know when I act what it costs.

Michelle Madoff:

May I suggest, as I just did, that we take one and two separately, vote on them, and then take three separately and vote on it? I have some very strong opinions that you're correct, Mr. Robinson. The bills are all good and they're not intimidating at all. They're very clear.

Mr. O'Malley:

Let's go back to number one then. Do you want to handle them one at a time?

Mr. Robinson:

That's fine with me.

The Chair:

Make the motion, Mr. Robinson.

Mr. Robinson:

My first motion is to have the City Solicitor, Dante Pellegrini, —

The Chair:

You don't have to reread it. Just tell us which one you have.

Mr. Robinson:

I make the motion.

Michelle Madoff seconded the motion.

Mr. Givens:

Discussion. If we begin to look at any authority, either the Redevelopment Authority or the Leasing Authority or a few other bills that are being brought up, then I must think that we have to look at the Water Authority, we have to look at the Alcosan Authority, we have to look at all the authorities that we have in the City of Pittsburgh and I would ask then that this Council do likewise. We can't do for one if we won't do for all. Once you get into this type of stuff, how much is going to start boggling down Council on each of the authorities which are independent state quasi bodies that belong to the City of Pittsburgh but yet really don't belong to this particular government. In some cases, the legislation from URA must pass through this Council by state law. In other authorities, they do not have to come through this Council to float various bonding issues. In some cases they should, I think, come through this

Council, the elected body, when they go out on bonding issues. A typical example of that, and a most horrifying one, was the $98 million water bond issue. That's a good example. I think that should have been able to come through this Council and approve or disapprove it predicated on how good the City and other crews have been able to do what compliance we gave them on the capital budget. We're two or three years behind on our capital budget projects for sewer and water lines and yet we go out on a $98 million. But Bill, I try to compare. When you do for one, then I think you have to do it for all.

Michelle Madoff:

That's what he's saying. He wants to set a precedent that we can apply to others. Why don't we vote on this one and then we can see whether it's applicable to others. You make a valid point. Let's vote.

The Chair:

Okay. Let's take the vote.

Mr. Givens:

I abstain.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mr. O'Malley (Pres't)	Mr. Stone

AYES 6 NOES none

(MR. GIVENS ABSTAINING)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

The Chair:

I really think that everybody should be in compliance and I see no problem with it. If you need some reinforcement of it I don't see any problems with it although I don't know that it's necessary.

Mr. Givens:

I think it's just going to expand the whole issue and I'll be very happy to join Bill Robinson in it.

The Chair:

Next motion, Mr. Robinson.

Mr. Robinson:

I make the motion.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Robinson:

I make the motion on motion three.

Michelle Madoff seconded the motion.

Michelle Madoff:

Discussion. Motion three I take as being just an informational kind of thing. I don't believe this Council, as Councilman Givens just said when you get to $90 million we did have the opportunity to discuss in this Council and it was a 4-5 vote and the four lost and we're going to get a fifth in the next

election.

Now, three says, all we want to do is get information 48 hours before we are asked to vote on a bond. You want information, everybody wants information; we don't want to vote in a vacuum. All he's saying is be responsible. Tell us what you want us to do. Tell us what the ramifications are and we will make that decision, as opposed to do you want to vote on this bond and then we start hassling without information. We don't get information; we've never gotten information. You don't get information; I don't get information. Most of the members of Council who care don't get information and all Mr. Robinson I hope is saying is let's get some information. I support him. It's only 48 hours.

Mr. O'Malley:

I'm having problems with number three. It states the written opinion and report from Solicitor Pellegrini shall be filed with the City Clerk. What opinion? What information? I mean, every bond issue pertains to a different project, a different subject, a different amount of money.

Mr. Robinson:

Motion three specifically relates to the information requested in motions one and two and I shall amend that motion if it's appropriate. The written opinion and report relative to Council Bill 1110 from Solicitor Pellegrini shall be filed with the City Clerk 48 hours prior to City Council in Committee acting upon any bond issue legislation.

The Chair:

Why don't you scratch out after the word Committee and I think it can pass?

Mr. O'Malley:

I don't think it can pass. That's just what I stated in my last paragraph. Mr. Robinson clarified that motion number three now directly ties in with one and two which states that if he does't get the appropriate information on legislative Bill 1110 in the next 48 hours then City Council will not act upon any bond issue legislation. I don't feel that it's right to penalize other Public Works projects and other bond issues —

The Chair:

You're agreeing with me, Mr. O'Malley. If I take off the last part, acting upon the bond issue legislation, it will come out the way you're now saying.

Mr. O'Malley:

Right.

The Chair:

Mr. Robinson, two suggestions, if I may. I would take after the words "in Committee", everything else out because now you're making it modify the above which is what I thought it was initially.

The second one is, I would agree with Mr. O'Malley that the 48 hours may be a short constraint. Wait, hold on a minute. We're talking about 48 hours prior to.

Michelle Madoff:

I could be three months prior. He just says at least 48 hours.

The Chair:

That's alright but if you take the last words off, after the word "Committee", it will modify as you're modifying and I don't find it

objectionable.

Mr. Robinson:

Let me read that because, as I said, my intent was stated to Council. It seems to me that it would not be in the public's best interest for us to consider legislation relative to bonds until at least we hear from Mr. Pellegrini.

Mr. O'Malley:

On what?

Mr. Robinson:

On Council Bill 1110. That's why motion number three was the last motion I was making.

The Chair:

The only trouble with it, you're now tying it in to 1110 and then at the end you have a tail on it that affects all bond legislation.

Mr. Robinson:

Well, the intent is for us to consider all bond legislation as being the same and if, as Mr. Givens said, it's good for the URA to perhaps go through this process it might be good for other agencies of government to go through —

The Chair:

The minute you made it modify 1110 you tied it in to URA. Therefore you shouldn't affect any other legislation. You're now at a contradiction in your motion.

Mr. O'Malley:

You're penalizing other projects in the City of Pittsburgh because of Bill 1110.

The Chair:

As I indicated to you, since you tie it in to 1110 and since that deals with URA, then it should not affect the balance of legislation. We have a slight contradiction to it.

I want to end it with one thing. I would suggest you take off the words "acting upon any bond issue legislation".

Michelle Madoff:

Clarification. Mr. Robinson, did you or did you not say earlier on several repetitions that you were concerned about the two bills coming up next Wednesday; one is the Leasing Authority and one is the Mellon Bank bonds. There are two bonds. My understanding of what you're saying is not only do you want it for Bill 1110 but you also want to know that before this Council votes on any bonds, at least 48 hours, it could be three months, it could be six months, it could be a year in advance, it could be two weeks, but at least 48 hours before we vote we should have some information on the bond. Is that what you mean?

Mr. Robinson:

No, that is not what I mean.

Michelle Madoff:

Then I didn't understand it. I'm sorry. Would you clarify it for me because I certainly think we should have that 48 hours before.

Mr. Robinson:

The purpose of the third motion was to give to Solicitor Pellegrini a reasonable period of time to interface with the Urban Redevelopment Authority to comply with motions one and two and

also to give Council an opportunity to review his opinion and report prior to considering any bond legislation. If motion three passes today, the next time that this Council would be faced with bond legislation would be this Wednesday. Today is the 17th, Wednesday is the 19th. If the two bills that will be in Committee on Wednesday, one dealing with the Equipment Leasing Authority for $9.3 million in bonds and the bill dealing with Mellon Bank servicing bonds issued in 1983 at a price tag of $125,000, if they were not on the agenda this Wednesday, Solicitor Pellegrini would have 48 hours prior to any other bond legislation being presented, whether it be in the Mayor's meeting on a Monday morning, in our Monday afternoon sessions, at a special session, at a Wednesday session. Again, the purpose is to look at how we are issuing bonds in the City of Pittsburgh and to evaluate the process and procedure that the Urban Redevelopment Authority was requested to initiate by way of Council Bill 1110. There is no intent here to stop bond issues in the City of Pittsburgh; there is no intent here to inconvenience anybody; there's no attempt here to in any way prohibit the City from financing those projects that they think are appropriate. The bond legislation 1110, when it was being discussed, I made the comments that our primary obligation, or my primary obligation, was that we get the best bond counsel, underwriters and underwriters' counsel to issue those bonds and then depending upon how that process worked, it might be applicable to other situations.

One last comment, if I might. The Mayor appointed a task force to look at the awarding of professional service contracts. Bond counsel, underwriters and underwriters' counsel contracts are professional service contracts. The Urban Redevelopment Authority is the first authority or first body in the City of Pittsburgh to make any significant change in the way professional service contracts are being awarded and they did that without the direction or assistance of the task force. If the task force indeed is going to make some recommendations to the Mayor which ultimately are going to have to be carried out by us by way of legislation, it just seems to me that we ought to study any procedures that we have asked to have initiated and also hopefully look at what the Mayor has asked to have initiated before we continue to aware professional service contracts. I'm simply trying to make sure that we can get from the Solicitor within a reasonable period of time some information that might help and guide us prior to taking action on future bond related issues.

The Chair:

I don't have any problem with that. But if you say under three, the way you're amending it, that it modifys back to 1110, then it should deal with those items under which you are now dealing. But you put a tail on it which makes it more strong than even anything above acting on any bond issue legislation. That's why I recommend that you scratch out those last six words. It's up to you.

Mr. Robinson:

I will leave the motion as amended.

The Chair:

Okay.

Michelle Madoff:

Mr. President, just one point. Mr. Robinson, with all due respect, when I explained to you how I understood the bill, you said I was wrong and you went

right on to say it exactly as I understood it. It's informational; it also relates back to the bill. I support you and I don't think you should change one word on it. This Council should not vote to spend millions of dollars without at least 48 hours notice to know what the bill is all about or what the bond is all about. I vote with you; I don't think you should change a word of it.

The Chair:

Call the roll.

Mr. Givens:

I'd just like to have some discussion on motion three, why I abstain in motion one. The bill triggered my imagination a little bit from the URA board meeting.

I think it's been asked of this Council as well as the different authorities to try to broaden those people to get a piece of the pie or otherwise a piece of the action, financial action, of the bonding issues that go on within the City of Pittsburgh. In our last bonding issue that the Urban Redevelopment Authority is trying to float, it encompassed about four different other law firms and agencies that deal with bonding and one of them was a minority bonding firm opening that door to give minorities some leeway. I wondered why Bill was picking on the mortgage revenue bonds because that has been one of the most succesful bonding issues and the most gratifying of all the work that the Urban Redevelopment Authority has done.

I accept his motion three and the fact of having some type of notification before we're upon the bond issue legislation, any bond issue legislation. I think it's bounced off us so quickly that we have to act Johnny-on-the-spot. The biggest complain that I've had and I've looked over the shoulder of URA when they float their bonds and they've always been able to get a tremendous rate for that year. It's a reversal though when I look at other bodies of government within the City of Pittsburgh, that some of those bonds are not sold in an appropriate manner that alleviates the debt service of the City of Pittsburgh, long-term debt service.

So, as I was against motion one and two because he was just picking out one particular entity, I would be for motion three, however, and even on motion one I'll change my vote from abstaining to a yes vote and I will vote yes on motion three.

The Chair:

Show a new roll call for the first motion with Mr. Givens' change of vote.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the motion passed finally.

The Chair:

Now, back to motion three.

Mr. Grabowski:

I vote no on motion three. I feel that each individual bond issue, whenever it comes before Council we can take a look at it and if we have any problems we can deal with it at that time. I don't see any reason to tie it into Bill No. 1110.

Michelle Madoff:

I vote yes because it's not only tied into 1110 and how it can affect other authorities, but it also addresses two bond issues coming up this coming Wednesday and we don't have enough information. We never have information. When they want our opinion they give it to us and for this Council to say that they don't want information at least 48 hours before is actually unconscionable and unbelievable and I support you all the way, Mr. Robinson. Aye.

Mr. O'Malley:

This Council certainly wants all the pertinent information we can get. Unfortunately, motion number three ties the 48 hour requirement directly into Bill 1110. If for some reason the Law Department, Mr. Pellegrini, could not come in compliance within the next 48 hours, that would penalize all future Public Works projects on the books and all future bond issues.

I agree with my colleague, Mr. Grabowski, that we should take each issue and each bond issue separately and I don't believe that we should tie in all the future bond issues of the City of Pittsburgh with Mr. Pellegrini's compliance on legislative bill 1110. I vote no.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Michelle Madoff	

AYES 3	NOES 4

VOTING NO:

Mr. Grabowski	Mr. Wagner
Mr. O'Malley (Pres't)	Mr. Stone

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

The Chair:

Okay. Motions one and two pass. Three does not pass.

Mr. Robinson:

Mr. President, I have another motion on another subject, if I might, on the Allegheny International Project.

Mr. Givens:

Bill, I'd like to interject. That was my discussion and I'd like to discuss that prior to his motion.

Michelle Madoff:

He's only calling for a post agenda

and you can discuss it then.

Mr. Givens:

Okay. Is that what you're calling for, Bill?

Mr. Robinson:

Mr. President and members of Council, a post agenda has been scheduled for September 26, 1984 to better inform the public and Council about the status of the Allegheny International Stanley Theatre Project. As Council is aware, that project was considered by the Planning, Housing and Development Committee and was approved by City Council and the Mayor. There are some questions that I think are unresolved relative to the status and operation of that project and as Chairman of Planning, Housing and Development I asked to have a post agenda scheduled.

My motion is to cablecast the September 26, 1984 post agenda session of City Council in order that pertinent information relative to the status of the Allegheny International Stanley Theatre Project might be made available to City Council and the general public.

Mr. O'Malley:

Just one quick comment. Wouldn't this be a change in the pattern previously set by this Council that we only televise hearings? I don't think we've ever televised a post agenda in the past. Am I correct?

The Chair:

That's been the rule so far.

Mr. Robinson:

That has not been the application of the rule. I think the Record will reflect —

The Chair:

I think his point is only that we have not done a post. That's all.

Mr. Robinson:

I think the Record will reflect that this Council voted to take a vote on those matters other than public hearings and our regular Council sessions that we vote on to have televised, that we would vote. That's the reason for the motion here today.

The Chair:

You are correct.

Mr. O'Malley:

On each individual item?

Mr. Robinson:

Depending upon the seriousness of the issue. It seems to me that this project has raised enough questions in the last two months that certainly a post agenda is in order. The Urban Redevelopment Authority has taken some action at its recent meeting to suggest that there are some changes in the project, substantial changes. There is a question of whether or not the total project as reconstructed, and it has been reconstructed, must be approved again by City Council and the Mayor. The Urban Redevelopment Authority did issue, I believe, a report today that some members of Council received at least indicating that HUD is going to have to reapprove the project. Well, if HUD has to reapprove it, so do we because we're the ones that authorize the application to HUD in the first place.

So, the post agenda is geared towards getting some clarification of who we're doing business with, under what conditions are we doing business, and what are to be the public benefits from that. I thought that it would be in everybody's best interest rather than calling for a public hearing or having someone else call for a public hearing to at least let the public be informed as to the nature of this new project. If for no other reason, it would appear that the news media is reporting a project that we did not authorize. I have been unable to date to get very much information from the Urban Redevelopment Authority or from the Planning Department as to the status of this project. As I said, some of you were given some information this morning by the Urban Redevelopment Authority. I don't know the contents of that; I don't have that information in my possession but it is my understanding that some information was made available.

The Chair:

I have a motion. Do I have a second?

Michelle Madoff seconded the motion.

Mr. Givens:

Excuse me, before this motion is voted on, I did not yield, Mr. President. I was next on the floor to be up for discussion before his motion was brought on the floor and it deals directly on this letter unfortunately that Councilman Robinson did not have an opportunity to read regarding an authority that I sit on. It's very important, I think, that that message be delivered right here and I don't know if you'd need to have such a post agenda. Anyone can have a post so I see no motion for it. But, Councilman Robinson at the Wednesday session was disgruntled and the fact that he was reading certain information in the newspapers about what was happening on the Allegheny International/Stanley Theatre development down there. Of course, I sit on that authority and I was interested too. But there was a letter that was sent over to all members of Council dates September 14, 1984, at Bill's request through me through the Urban Redevelopment Authority's board meeting in which this topic was discussed. From that came this letter which, for your information, is a status report of Allegheny International's Stanley Theatre project. I draw your attention particularly to the facts that formal developer substitution has not taken place and requires approval of HUD and I would think this Council body at the same time. URA has not received a formal request from designation of the development team, as I indicated from the original Allegheny International Realty Development Company and the old Urban Investment Development Corporation and the developers, the AI Stanley project is to be replaced by an affiliate, so we found out just by word, Lincoln Property Company of Dallas, Texas, backed up by large insurance underwriters. URA has not received a formal request from a designated development team to substitute Lincoln and Allegheny International Corporation as a fine tenant who is going to require 250,000 plus feet in that particular twin office towers.

This formal request is expected shortly, however. In two recent meetings with URA officials and Lincoln officials agreeing to abide by the terms of the HUD/City of Pittsburgh UDAG agreement now nearing finalization, including repayment, job creation, and other program requirements, Lincoln officials also agreed to abide by the existing construction schedule for the project that calls for the summer of 1984 construction start on the office site and

a fall of 1984 start for the Stanley renovation. We just know in the past there's been somewhat $5 million donated to the Stanley renovation project. As of September 12, 1984 meeting with the Lincoln representatives, URA officials asked for a new two-part Minority Business Enterprise, MBE as we call it, plan for the project. The MBE plan for trust for cultural resources developers in the Stanley project into the MBE plan with Lincoln Property Company Developers the office towers. Four, that the URA has notified HUD of the proposed development change and HUD must approve the substitution of the developer. Demolition as we know of the office tower site is completed. Certain architectural elements of the old Moose building are being preserved for the requirements of the UDAG grant. What we're having here is a financial agreement between two different developers and that the Allegheny International has switched the people who are going to finance and develop that particular project. I agree with Bill; it must come through us, it must come through HUD before any final approval can be made. The fact that they're in the talking and negotiating stages right now and that we want a 1984 fall to start digging and get some jobs in this City, I caution everyone in the City of Pittsburgh that we don't meddle too much in with the developers be it the HUD or the UDAG grant and be it we might hold up in some form or fashion or give some gray area that is happening out there that we're not privy to. I don't think this is happening and as a member of that authority I would suggest that we wait to see what happens with Allegheny International and their new developer because the can't move forward and the the UDAG cannot be approved until that is finalized because they're restricted by law to even receive one penny of that UDAG, even if its authorized.

That's all I have to say, Mr. Chairman.

The Chair:

We're calling a vote now on his motion as to whether it should be televised. Call the roll.

Mr. Givens:

I'm working on the project itself and I think if the Councilman has called for an agenda he has the right to call for that agenda. I don't think it has to be a motion.

The Chair:

Are you voting yes or no?

Mr. Givens:

I'm not voting at all.

The Chair:

You're abstaining?

Mr. Givens:

I'm not voting at all. I think any Councilman has the right to call for a post agenda.

The Chair:

We have a motion on the floor, Dick. You have to vote one way or the other or abstain.

Mr. Givens:

I vote aye. I wouldn't deny anybody a post agenda.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. O'Malley	Mr. Wagner

AYES 4 NOES 2

(MR. GRABOWSKI AND MR. STONE VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Mr. Wagner:

Mr. President, I'd like to make a formal motion to this Council for the Cable Advisory Board and Brother Richard Emenecker, Superintendent of the Bureau of Cable Communications, to supply this Council with a written analysis, an opinion, of the TCI proposal. After these written opinions have been obtained and reviewed, I am also requesting that a meeting be held between the Cable Advisory Board and Brother Richard and members of this Council for a final review of the TCI proposal prior to the introduction of legislation.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. Givens:

Everyone must like the work I'm going to do in this particular department. You've taken the words out of my mouth, Jack. Naturally this has to be done and it will be done and if he wants to put it in the form of a motion, fine.

Mr. Robinson moved to excuse Mrs. Masloff for absence from the meeting.

Mr. Wagner seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Robinson**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, September 24, 1984 No. 37

Municipal Record

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, September 24, 1984

PRESENT:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

ABSENT:

Mrs. Masloff

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Givens presented

No 1395 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the purchase of decals and placards, parking-restriction signs, and related supplies, including installation costs, for the approved Residential Sticker Parking Areas, at a cost not to exceed $45,000.00, chargeable to and payable from Code Account CDPW 83-19, 4-01-30-0010-83-231-83-01 ($30,250.00) and Code Account CDPW 84-39 4-01-30-0010-84-231-84-01 ($14,750.00), Residential Sticker Parking Program, Parking Surveys and Sign Installation.

Also,

No. 1396 Resolution providing for the transfer of the cable television franchise from Warner Cable Corporation of Pittsburgh to Pittsburgh Tele-Communications, Inc., for the extension of the term of the franchise.
—(SPONSORED BY MR. GIVENS)

Also,

No. 1397 Resolution providing for an Agreement with Warner Cable Corporation of Pittsburgh and Warner-Amex Cable Communications, Inc., relieving them of certain rights and responsibilities in a cable television franchise.
—(SPONSORED BY MR. GIVENS)

Which were severally read and referred to the Committee on Public Works.

Mr. Givens:

This was a bill that was introduced last week and Council felt it should not be admitted. I've talked to Brother Richard Emenecker who will be forthcoming with a report from PTCI proposal which is a very lengthy proposal along with our own Council's steering committee, cable steering committee, on that will be giving us a report.

Some Councilmen have reservations on a document that they have just received this Thursday or Friday; I think it came in Friday to my office, possibly Thursday. Marvin Fein was asked to come here this morning to say when he'll give Council his break down of this particular document and does he need any additional information. If I might, I think someone else would like to speak on this matter and ask some pertinent questions and I think it would be appropriate at this time, Mr. Chairman, even though its just being introduced, to serve some of these questions that one Councilman might bring up. Marvin is here to answer those questions.

The Chair:

In fairness to Mr. Robinson, Mr. Robinson would you rather hear from Mr. Fein first or make your comment?

Mr. Robinson:

I'd like to make my comment if I might, Mr. President.

Mr. President and members of Council, last week I introduced a motion which Council was gracious enough to pass that indicated that we would not give any further consideration or evaluation of the cable television proposal familiar to the City of Pittsburgh by Telecommunications Incorporated until the Mayor and City Council received and reviewed the fiscal analysis of Warner Amex and Warner Cable Corporation requested in Council Bill 643 of 1984. It is still my position that the motion was in order, that our passing it was in order and that we still do not have at this point on file with the City Clerk's Office which is required by Council Bill 643 an analysis from the parties identified in that bill. I have a copy of that bill for anyone here on Council who wants to peruse it. I am concerned that last week, after Council passed the motion I introduced and stopped consideration of the possible sale or transfer of our cable system, that I at least received two documents, one of which was addressed to Councilman Woods and was dated September 19, 1984 and does deal specifically with the possible transfer of the system. The material was sent by Mr. James Mazor who is a Vice-President of Operations at Warner Cable. It does include some fiscal information relative to Warner.

The other document that I'm a little concerned about was dated July 9, 1984. It came from the Warner Cable Corporation of Pittburgh and says fiscal information was sent to Mr. Louis Gaetano, our Director of Public Works. This was sent to him by Mr. Robert A. McAllister, Vice-President of Finance.

The Chair:

When? Do you have a date on yours, Bill?

Mr. Robinson:

July 9th for the document to Mr. Gaetano.

My concern is that these two documents, while they do give us some additional information on the fiscal status of Warner Cable Corporation of

Pittsburgh, are not the information that Council Bill 643 requested. Council Bill 643 requested an analysis that was supposed to be made available to the Mayor and Council for their reveiw. That review and analysis was supposed to be available to us 30 days after the conclusion of the necessary work that put it together; it was supposed to be on file with the City Clerk. All that was supposed to be done before we considered the sale or transfer of the system.

I think today we're back at the same point we were last week except we're even in a worse position. Since last week we still haven't gotten the analysis. What we've gotten is two additional documents; one dated the 19th and one dated July 9th. I think that it would probably be appropriate to hear from Mr. Fein to at least determine if he is the appropriate person to get us the analysis, if someone else should get it for us, and most importantly, when and under what set of circumstances can we get the information that Council Bill 643 had requested.

On a lighter note, I'd like everybody to know that Mr. Fein and I did not have a serious disagreement over this. That's not the reason he's on those crutches.

Mr. Grabowski:

Mr. President, our rules state that if any Councilmember objects to anyone other than a Councilmember speaking at these meetings they won't. I object.

The Chair:

I would hope that —

Mr. Grabowski:

No, I object. I feel that this bill has been introduced by Councilman Givens and it can be discussed Wednesday. At that point Marv can bring up the whole Law Department to discuss it.

The Chair:

Mr. Grabowski, there's only one difference here. The bill that Mr. Robinson is talking about, I think it's No. 643, has a provision which states that the bill will not be introduced until certain conditions are met. In view of that, the question is whether it will even be entertained by this Council until that information is there or it is waived. That's the posture position we're in as of what happened last Monday.

Mr. Grabowski:

Apparently we set a dangerous precedent way back when by approving that provision.

The Chair:

Yes. So, the question was, it's my understanding from the time of our last Monday meeting there was some information which apparently was supplied which information we were not provided with. That's one thing as I understood it. There are some things that Mr. Fein was to supply and regretfully, as you see him here before us with crutches, he spent some time in the hospital during this period of time and that may be accounting for something relative to what he's —

Mr. Givens:

Mr. President, if I might add, as the Chairman of that department I have been working very closely with Marvin, the Warner people, the Pittsburgh TCI people, as well as Brother Richard Emenecker who even on his departure to

forward the Administrator's Councils of Cable, it will have all this information to us that he had promised. That is an analysis that we in Council can look at.

I would assume then, Mr. President, that from that analysis, giving Council a little time to look it over, that you or myself would be in a position to call all the parties together where they could come in and explain it in detail to us again and secondly, that we in Council have the opportunity to ask questions that we have in our minds and eventually there would be two source documents coming forward, no new ones so to speak, but we have everything in place, most of it is amending our existing Councilmatic ordinance on setting up the cable, the Cable Bureau, etc. and the franchise agreement will be the two source documents that will come before us. Whether we pick them apart or take them as a whole, as a body, and vote them up or vote them down is up to this Council and which direction we'd like to go.

I think Marvin has a few comments to make and I know he can't stand more than fifteen minutes.

The Chair:

In fairness, Mr. Grabowski is totally correct and unless he withdraws his objection we can't hear from Mr. Fein at this time.

Mr. Grabowski, I would appeal to you at this moment, in view of the present posture of this thing that we hear from Mr. Fein at this moment as an exception to the rule.

Mr. Grabowski:

Before that, if I might interrogate Councilman Robinson —

Mr. Robinson:

Interrogate?

The Chair:

You may inquire of him for some information.

Mr. Grabowski:

Bill, you do have two documents that you have in your possession. Is it your contention that these documents are not what we required or not to your satisfaction?

Mr. Robinson:

The two documents I made reference to earlier in my presentation were made available to my office. They were not handed to me. I looked at the documents and could tell that they were related to the potential transfer of the system. I do not know why the documents were given to me and I don't know if any other members of Council recieved them. That's the first thing.

Second of all, these two documents are not what Council Bill 643 requires. My position is that procedurally we passed a law in this City, signed by Council, signed by the Mayor. It's in effect. I'm simply saying that the effect of that legislation precludes the introduction of the legislation read by the City Clerk today relative to the transfer or potential transfer of the cable system.

One might say that a prudent man would ask our City Solicitor for an interpretation or an opinion. With all due respect to Mr. Pellegrini and Mr. Fein, I think it would be very difficult to ask them for an opinion as to whether or not they have provided to this Council information that the law requires which

they obviously haven't submitted.

The Chair:

Don't you want to try him on that issue?

Mr. Robinson:

No, what I would do is, I would ask Council to give me the authority to hire outside legal counsel to give me some assist. But rather than do that, it seems to me that when you look at 643 procedurally, not only hasn't the analysis been done, it hasn't been reviewed by Council or the Mayor, whether it be written or oral.

Three, it has not been forwarded to us 30 days after its completion because we don't even know if it has started. We have no documentation that it has started.

Four, it's rather obvious that if indeed we introduce those bills, the two bills that Councilman Givens wants introduced today, that we have a problem with 643 because Mr. Fein eventually is going to have to help negotiate the possible sale or transfer of the system, help with any kind of analysis, answer any kind of questions, which says to me, what is the legal impact of 643?

My motion was to stop everything at least until Mr. Fein or Mr. Gaetano or the Mayor or Brother Richard, all of whom are identified in 643, could give to us that analysis or certainly give to us some information relative to when the analysis would be available. I would assume that Mr. Fein is prepared to do that at this point. I would assume that. But I think procedurally we cannot just negate legal actions that we have taken in terms of process. Beyond that, all we have to evaluate at this point is information that Warner Cable Corporation and TCI have put together relative to a deal that they think is good, that they have told everybody is good, and they have told us it's good. I don't know whether it's good for the City of Pittsburgh and I don't think any information has been provided. Council Bill 643 also provided for the hiring of a professional consultant or someone who has professional knowledge in cable to help with the analysis. To my knowledge, the Administration never exercised that option. I would assume therefore that Mr. Fein and people associated with him have the necessary expertise to give the analysis. But we don't have any analysis. We don't have any analysis, we have no information of our own that we have generated in the City of Pittsburgh to determine if our cable system is in fiscal trouble.

If I might, Mr. President, just two other points. When we originally approved this franchise for Warner Cable, we were told that fiscally Warner was sound and that financially they could accomplish all the goals they had outlined for us. We voted for them. About seven or eight months ago, the same corporation came back to the City and said, "Guess what? We're having financial problems; we need a rate increase. Would you give us a rate increase?" At that time I said I would not support the rate increase and I did not because we had not generated any analysis on our part to determine if they were in the fiscal condition that they said they were. They told us, "Give us the rate increase and we'll be in good financial shape." Then they come back to us six months later and say, "Guess what? We're going out of business and we've worked out a deal with another company who originally bid on the system and here is the fiscal information. Let us out of our arrangement." It just seems to me that

that's bad business, bad public policy, and something we should not be supporting until we get our own independent information.

The Chair:

I want to go back so we don't go too far afield. The issue before us is whether or not the bill should be entertained in view of 643.

Mr. Woods:

Mr. President, let's withdraw the two bills and comply with Bill 643. I'm sure that could be done very rapidly. I know Marvin had that information from both companies for some time now and perhaps we could schedule a post agenda immediately, whenever you can come up with his analysis in writing, explain it and also hand it to us in writing and then perhaps the following Monday these bills can be introduced.

The Chair:

I'm still appealing to Mr. Grabowski at this point to let us hear from Mr. Fein. I have a problem in this sense. I'm not opposed at all with the conditions the Mr. Robinson has imposed. Before we at any time make any final decision or within short order we ought to be getting the information that's requested. I am at a loss and it surprises me throughout this thing that we've done so much on cable TV and yet there's no bill before us. I would like to see some bill there for which we are now working on it, even if we brought it to the meeting on Wednesday and then tabled it until we got the information. But it seems to me some bill ought to be there for which we are now working on it and that's where I find a loss.

Mr. Woods:

That was my suggestion, Mr. President. If we could just withdraw the bills, have a post agenda on it this Wednesday, I'm sure Marvin could be there, somebody could be there.

Mr. Givens:

Ben, we can't have a post agenda on this. It must go into a Councilmatic hearing. Period.

Mr. Woods:

You can have a post agenda on anything.

Mr. Givens:

A post agenda is no good. It's too much concern of a problem to be a post agenda item. It must be discussed in public where the public has direct contact with all the media.

The Chair:

Let me get back to where we are because we have Mr. Fein here.

Mr. Grabowski, you pleasure?

Mr. Grabowski:

Okay.

The Chair:

Thank you. We'll now hear from Mr. Fein.

Michelle Madoff:

The subject is whether we should or should not introduce the bill. Is that it?

The Chair:

As I understand, why he's being called and it's for a very narrow sense, is to give some understanding as to why we don't have this information at this time.

Mr. Grabowski:

I'll withdraw that objection just this one time.

The Chair:

Thank you.

Mr. Fein:

I hope I have something worthwhile to say after all this.

Let me tell you how we interpreted the resolution of Mr. Robinson's originally, which may give you an idea as to what the problems have been. We didn't look at it in the narrow sense, the "we" is Brother Richard Emenecker and myself, but we thought what Council should have and what Council wants is not only an analysis of Warner's commitment to the City and whether it's financially able to fulfill that commitment for the next 10 or 11 years but also an analysis of why TCI, if it is, is able to succeed whereas Warner may not be able to succeed and what the differences are between those two companies. In order to do that, we needed financial information both from Warner and we needed to see TCI's final proposal. TCI's final proposal did not come in until a week ago Friday so that was the earliest we could have even begun preparing this financial analysis. I had planned to work on it all last week and as a matter of fact I did work on it at home quite a few days last week but I didn't have all the information there. I came in today and have put together I'd say about 95 percent of the financial analysis and by tomorrow Counci should have it.

Also, Brother Richard is in Arizona this week but after this week we're available to meet with Councilmembers either individually or as a body, privately or publicly, to go over all parts of the TCI proposal and all parts of the Warner analysis. We have been meeting with TCI and there's still numerous things we have to discuss with TCI before I think there's anything that you would want to vote on finally. Your input is really the last input that we need and it's the important imput since in all of our discussions with TCI we've had some idea as to which direction the Administration may want us to go in discussions with them but we really haven't had any direction from Council. So, those meetings will be important to Brother Richard and me and I think what they will do is give all of us a better chance of getting of good final proposal before Council as soon as possible.

The Chair:

Marv, in line with his question, he says we passed the bill 643 which says that we must have this analysis before its introduced. Can you address that?

Mr. Fein:

I would read that bill a little differently. What the bill says is that you must have the analysis before any process begins for transferring the system. The process for transferring the system is entering into an agreement and the Administration cannot enter into an agreement until a resolution has been passed by Council that allows the Administration to enter into an agreement. I would read the process to begin being that Council could not take a vote on approving the Administration entering into a contract until such time

that you have the analysis. I don't think it can be read to mean that no bill can be introduced. The process is the process of entering into a new contract.

Michelle Madoff:

Marv, I think that you may have a short memory. Let me refresh it. You know that when we voted for Warner we did it under a stampeding gun at our heads. What you say is true. Would we follow the procedure that you've outlined and wait for everything in order and all the i's dotted and all the t's crossed, by the time we get it we'll say, "Oh, they're going out of business" and these poor people in the City won't have cable and they're going to knock on our doors and say, "Give us cable, give us cable" and there will not be sufficient time.

I concur with Councilman Givens; the bill should be on record immediately. We should start learning as much as we can and even though you're going through your normal procedure, one of the greatest concerns I have is that Carmen Gunther wrote a letter to Brother Richard about the fact that a whole community, namely the center of Squirrel Hill which is a tax base, cannot get cable because of access, some people objecting. As you know, the company that wants to buy the cable contract has told me personally they are not going to guarantee to give everybody a tie-in. Well, from my position, I'm not going to vote to sell it unless Warner ties everybody who wants in to the system or the new company agrees to do it. We could be talking about that while you're still waiting for information. I don't want to be under the gun at budget and at election time and all other things happening in our personal lives and have the Judge call us into his chambers one at a time and say like he did on the Stadium, "This is really good; you really ought to vote for it." No!

The Chair:

I want to get back; this is a narrow issue at this moment.

Mr. Wagner:

This is to Mr. Fein. The financial information that was provided to Mr. Gaetano back on July 9th which was the day prior to the informational session which we had with Warner and TCI, was that provided to any Councilmembers and if so, whom?

Mr. Fein:

It is my recollection that it was provided to Lou Gaetano and probably Brother Richard and me. I don't know whether there was any distribution to members of Council or not. I don't think so.

Mr. Wagner:

Why was there not distribution to Council?

Mr. Fein:

I think the understanding was that based on the resolution that the information was to be given to Brother Richard and me and we were to then prepare an analysis from that information for Council. That was information that I specifically requested from them in response to the resolution of Councilman Robinson.

Mr. Wagner:

With us receiving all the other volumes of information that we received, why would we not be granted this information?

Mr. Fein:

I really can't answer that. I think the only reason I could think of is that all the information you've received up until now has come from TCI because they're been the ones coming to Council asking for the transfer and that information came from Warner who is supplying it to basically the technical staff in response to preparation of the financial analysis.

Mr. Wagner:

Do you mean all the information we have received to date has come directly from TCI or Warner and not through Brother Richard or yourself and anyone in the Administration?

Mr. Fein:

As far as I can remember I don't think we have sent you anything yet. I think that everything you've received has been from one of the two companies.

Mr. Wagner:

That is the reason why this was not provided to us in that it was not provided directly to Councilmembers.

Mr. Fein:

It is in response to a request from me and not from Council and I think that they felt that you would get your information by virtue of the financial analysis that we would then send on to Council and we did plan to attach all that information to that analysis.

Mr. Wagner:

We passed the motion last Monday, Council did, asking for an analysis of the potential purchase of the system by TCI, an analysis from you and from the Advisory Committee. When can we anticipate that information?

Mr. Fein:

I don't know but Brother Richard told me about that at the end of the last week and then he went to Tuscon this week and that's one of the reasons why I would like to arrange some kind of meeting either post agenda or private meeting, I don't think it has to be a sunshine meeting, with the members of Council to go over this proposal and to get some direction from Council as to what kind of a report they want and what questions they want to be looking at with respect to the new proposal.

Michelle Madoff:

You'd have no objection to the media being there, would you?

The Chair:

Michelle, hold on. Mr. Wagner still has the floor.

Mr. Wagner:

So, what you're suggesting is that if a meeting such as that takes place it should be help prior to or after this bill entering into Committee or coming up in the Finance Committee Meeting.

Mr. Fein:

I think it's helpful to have a bill before Council; it gives you a forum to explore all of these things.

Mr. Wagner:

Under the normal procedure this will come up a week from Wednesday into Committee. Can we expect an analysis from Brother Richard and yourself and possibly the Advisory Committee prior to that date?

Mr. Fein:

I don't know. I have not talked to Brother Richard about that and he's going to be in Arizona all this week. I would think it would be fairly unlikely but I think the next Wednesday's meeting could be a good initial format for Brother Richard or me or both of us giving you a verbal overview of the proposals and a listening from members of Council, concerns that they have. I know Councilwoman Madoff just brought out her concern concerning the 400 or 500 homes that may not be hooked up. I think it would be helpful for us to be able to address specific questions of yours and specific concerns. I know you've also given us a few particular ones.

The Chair:

Marv, I think that timetable is important. Whenever you're ready then you make it specific so you can tell this Council what you need to know.

Mr. Fein:

I think next Wednesday Brother Richard and I would probably both be prepared to verbally go through the TCI proposal with you at the Committee Meeting.

Mr. Wagner:

Just one last point. I think it's critical prior to us discussing this in detail in Committee that we hear the opinions and the ideas of the Advisory Committee so we can represent them and their views.

Mr. Fein:

It's my understanding they meet either the first or second Tuesday of each month so they have not had a meeting since you passed your resolution of last week.

The Chair:

In view of what he's saying with the Committee, can we have it a week Wednesday and get the information from both, including but not limited to any meetings you want especially with Councilmembers?

Michelle Madoff:

How about Monday morning?

The Chair:

In view of the other meeting, they don't meet until the first or second week. A week Wednesday would be better.

Mr. Woods:

Marvin, one thing bothers me. I know it was stated when this issue first came up about the negotiations, the Administration, TCI and Warner Cable. Now you're saying that you didn't want to prepare an analysis until you discussed with Council what was going on and then asked us for some input. Why in the very beginning, and we had asked this some months ago, why not one or two members of Council sit in on these negotiation and these discussions and we would relay what other Councilmembers took back, whoever that one or two Councilmembers would have been, and we probably wouldn't be in half the trouble we are in now. You're going to create a thing now meeting with nine members of Council and everyone screaming at the same time, I want this, I want that. If you would have had us in the negotiations to begin with we wouldn't be in the problem. Believe me, you wouldn't be.

Mr. Fein:

I don't think we're in a problem. Maybe I used the wrong words before. The first proposal that TCI submitted to be kind was fairly pitiful inasmuch as there wasn't anything that was acceptable or enforceable in it and at that point, for a lot of people to get involved with TCI, I think may have been counterproductive. But over the last two months, what we've gotten from TCI is an enforceable document that in some ways may be their bottom line and in some ways it may not be. But I think at this point we now have a document that can be intelligently discussed and the one thing that I have left open at all times in my discussions with TCI is that I've told them to give us everything they can. They know what the concerns of the sub-committees are. What I've told them is that even addressing them all and even taking care of most of those concerns, I can't assure them that they have the Mayor's vote, I can't assure them that they have five votes of Council. That's only something they'll know once they submit something in final form.

But I think what Michelle brought up before is a good point. They're down to 400 or 500 right-of-ways that may cost $1 million to provide service to those people. They do not want to propose to spend $1 million. That's the kind of thing I think now is a decision for the Mayor and for Council to make, whether they will not accept the transfer unless $1 million is spent for 500 people.

We're not down to a point of negotiation. We're really down to a point of input from Council as to whether that's acceptable or not.

Mr. Woods:

I suggest that since it is a four party marriage, TCI, Council, the Administration and Warner, that the discussions, private or open to the public, include a few members of Council because no matter what happens, the final vote is going to be here. No matter what this Council does, pro or con, we're going to take the heat for it. That's why we should be in on these discussions, negotiations, or whatever you want to call them. From the very, very beginning.

Mr. Fein:

I think at this point you're right because we're down to very few issues and I think it's very manageable because we're not going —

Mr. Woods:

You'll see those issues come up again, believe me.

Mr. Fein:

What really happened during these discussions I wouldn't even call negotiations. They were two and three day meetings over technical points by and large. Now I think we're down to a few policy decisions and it's definitely the time for Council to be involved very much in the system at this point.

Mr. Robinson:

Mr. President and members of Council, I'd like to try to get back to my initial concern which I raised last Monday. That is about the propriety of Council acting contrary to legislations passed in the City of Pittsburgh. My objection to introducing the legislation is still the same. Above and beyond that, I have not heard Mr. Fein say anything yet about when we as a Council and the Mayor are going to receive the fiscal analysis, when it's going to be filed with the City Clerk, and what ramifications

that filing and that review have on any legislation that might be submitted subsequent to this conversation.

Mr. Fein:

I said I would file it tomorrow and it is my opinion that after the filing Council could then go forward and take votes on any measures before it with respect to transfer of the system.

Mr Robinson:

This is a comment to Council. It seems to me, Mr. President, that it might be wise, even with Mr. Fein making available to us in less than 24 hours what he could not make available to us in more than four months, the report, the analysis. It seems to me that it would be wise for us not to discuss or evaluate the bills that Councilman Givens has asked to have introduced next Wednesday. It seems to me that it would be wise for us to begin to address the concerns that Councilman Wagner has raised, Councilman Woods has raised, and I have raised relative to find an appropriate and meaningful input for Council prior to us trying to make some decision as to whether or not we want to transfer the system to TCI. I don't think we've yet gotten to the point where we can determine whether or not that should even be something we entertain. Evidently the drafters of the legislation feel we should entertain that and that we should entertain that information which has been submitted by Warner and TCI to date. Mr. Fein has suggested, and correct me if I'm wrong Marvin, that basically the substantive issues have been addressed. I don't believe the substantive issues have been completely addressed. They perhaps have been addressed by TCI and Warner. I think there are many issues that this Council asked TCI specifically to address that they have not addressed because they have not felt that they needed to address them and I think their representative and also their reports reflect there are certain issues that they will not address, issues that I think our ordinances addresses, issues that I think certain elements of our community want addressed, and certainly issues that this Councilman think deserve some serious consideration.

I would hope that if indeed Council decides to entertain these bills that we would not take any action on them prior to getting the information Mr. Fein said would available to us, having a chance to analyze it, having a chance to meet, having a chance to determine what the appropriate role for City Council is.

Officially, I have no recourse but to still object to the introduction of the bills for the same reasons I raised last week.

Mr. Givens:

I just wanted to reassure Bill and what he so stated that when the bill does come up a week from this coming Wednesday, in talking to Brother Richard Emenecker the Bureau Chief of Cable Communication, he indicated the analysis of the "P" Pittsburgh TCI proposal will be finalized for him for presentation. He was giving me a ballpark figure because he was going on a trip in connection with the Cable Bureau. This Friday he felt he would be finished with that, that's just the draft form, and then to give us that draft form and we must digest that too.

I would have to say that when the bill comes before us Wednesday, I don't think we're all going to have the appropriate information unless the Bureau down there works day and night and even then I think to put all this

together and to give it to Council for us to intelligently look over it ourselves and come up with questions will probably take another week. You might be able to discuss certain things next Wednesday a week but I don't know if we're going to be — There will be no decision made then and then the public is the other side of this coin here. They'll want to know, they're in the dark on this proposal to a certain degree and the changes especially even though some of them have been notified in our local media. But they want to know a little bit more in detail. There are also some personal interest groups out there that are interested in certain things that they want done. As Michelle indicated, there's certain amenities. I'd say there might be a punch out list of certain things and who's going to take control. Is Warner going to take it or is TCI going to take the responsibility of certain things that must be done in the fulfillment of the Warner contract.

Marvin, I thank you for coming up. I know you shouldn't be on that leg very long.

Mr. O'Malley:

I have a question. Marvin, who drafted these two pieces of legislation?

Mr. Fein:

Before Councilwoman Masloff went to Russia she asked me to draft the legislation and I drafted it for her.

Mr. O'Malley:

I have problems with the legislation in general. I think the legislation gives a wrong impression and I would like to have it amended before I can vote for it.

If you read the legislation, it states that the Mayor and the Directors of the Departments of Public Works and General Services are hereby authorized to enter into an agreement. I have a problem with the word agreement. I don't think we should really authorize them to enter into an agreement. I think what we should do is authorize them to enter into negotiations and then present those negotiations to this Council for analysis and final say. As Councilman Woods says, this Council is going to have to make the final decision.

I'd also like to have it read that we authorize the Mayor and the Director of the Department of Public Works — Nowhere in here does it say anything about City Council. I'd like to have it amended to say that the Departments of Public Works, General Services and a City Council Committee sit in negotiations with Warner and TCI.

Mr. Fein:

Councilman O'Malley, let me explain why it's drafted that way. One of the unwritten things that was to be part of my recommendation to Council was that there were to be no votes until we have a final agreement and that agreement be brought before Council.

One of the things that I was supposed to do today —

Mr. O'Malley:

Will you repeat that please?

Mr. Fein:

There will be no vote on that resolution until there's a final agreement between TCI and the City and Warner and the City and that that agreement be brought before Council and that Council have the agreement before it votes on this resolution. That was what was done

with the original cable resolution.

Mr. O'Malley:

That's where I have the problem. You're saying that you are supposed to enter into an agreement but I don't hear anything about any members of City Council having any input into that agreement. You're going to present us with a document and negotiations that you've come to an agreement with TCI and you're going to present them to this Council. Well, members of this Council I'm sure are certainly going to have their own ideas.

Mr. Fein:

That's why I've proposed the process that I'm trying to use in this. One of the problems that we have is under the Home Rule Charter, it's the Administration that negotiates contracts and Council's sole role is to allow the Administration to enter into those contracts. Obviously in something like this we're not talking about a construction contract, a low bid contract; we're talking about a process that both Council and the Administration are involved in. What Brother Richard and I have tried to do is to involve everyone and now the final step, whether it's a five week step or a six week step or whatever it takes, is one in which we want maximum input from Council and we want Council to have all the information prior to voting and all the information means the exact contract is to be entered into and what the ramifications of every provision of that contract are.

We don't have it right now because TCI attorneys and I were supposed to negotiate that contract today. We cancelled that and put it off for a week.

Sometime in this process you will have that agreement and —

Mr. O'Malley:

In other words, once we get the agreement —

Mr. Fein:

That's when you can then vote because then you will have the full picture.

Mr. O'Malley:

That's where I'm in disagreement. Once we get the agreement we have two choices; either to vote for it or vote against it. Personally, I don't want to have any input to this but some of my colleagues do. My personal feeling is that we should have some input before the final vote.

The Chair:

That would come up in Committee and we'll decide at that point what we want to do. That's the reason that I have the concern that something ought to be there.

Mr. O'Malley:

That always happens to members of this Council. We want to have certain input but we never have that input until we're up to a final vote. I'm saying is that it's going to be a two or three month process so why not have two or three members of Council sit in on the negotiations so that we don't stall this because there again I'm sure it's going to come up and it's going to have to be a rush vote because we're going to have to rush it through. Why not give members of this Council the opportunity to sit in on the negotiations so that we're not rushed at the last minute, Marvin?

Mr. Fein:

That's why I suggested all of us meeting privately in order to figure out where we want to go from here. I haven't read the proposal. I got it a week ago Friday but did not see it until today. I don't know how many of you have read the whole thing but it may be a perfectly acceptable proposal now but it maybe it isn't. I think we should all meet privately and decide what is acceptable and what isn't acceptable and then decide how we're going to meet with TCI to iron out any problems there may be in that proposal. I think it's a very good idea that Council appoint a couple of people to be in on that negotiating session with TCI.

Mr. O'Malley:

Would you object to amending the legislation?

The Chair:

Jim, I think you can get what you want without amending the legislation just by a motion at the Committee table.

Mr. O'Malley:

I want that answer from Marvin. Would you object to amending the legislation, Marvin?

Mr. Fein:

I don't think I have a vote to object, Councilman O'Malley. If you want to amend it, you may.

Michelle Madoff:

I agree with members of Council who say that we need to get on to the issue of discussing the bill and having as much input as possible. Mr. Woods may not recall but again I'd like to refresh his memory that I, on numerous occasions, have met with our Mayor and asked that exactly what Mr. Woods is now stating, which Michelle Madoff has said for six years, is that we do not wait until zero hour when we get close to deadlines, that we have members of this Council sit in on important issues so that we carry the message, we send the message from this Council to the Administration and other parties involved, of what our feelings are and those people come back and tell other members of Council what is going on. This happened on the issue of the subsidiary of the steam heat plant. I sat on the Commission for two years; I begged Mr. Whitmer to come and brief this Council and later Bill Copeland, the Vice-President of PNB, said I was absolutely right, that we should have kept Council apprised. I begged that we keep Council apprised and it was a one week last minute decision. Mr. Stone was up in arms at some of the things that happened in the vote. If he's known two years before on a weekly basis what was going on he may not have felt and voted the way he did. Mr. Woods is absolutely right. I'm so glad you're finally seeing the light, Mr. Woods, and that you're agreeing with me that we should be doing these things.

The Chair:

Now that the light has gone on, we'll move ahead.

Mr. Grabowski presented

No. 1398 Resolution providing for the issuance of a warrant in favor of James L. Smith Insurance Agency in the amount of $65,023.00 for fire and supplemental and boiler insurance, chargeable to and payable from Code Account No. 1128, Index Code 112805, Misc. Services, General Office, Dept. of General Services.

Which was read and referred to the Committee on Finance.

Michelle Madoff for Mrs. Masloff presented

No. 1399 Resolution authorizing the issuance of a warrant in favor of Douglas Industries, Inc., in the amount of $3,000.00 in payment for tennis equipment furnished for the benefit of the City, chargeable to and payable from Code Account Special Parks Program Trust Fund (254359). Prior approval granted by Council Bill No. 948, dated July 3, 1984.

Also,

No. 1400 Resolution authorizing the issuance of a warrant in favor of Pete Jeffrey & Associates, Inc., in the amount of $4,092.00 in payment for work performed at the Warrington and Northview Heights Recreation Centers, furnished for the benefit of the City, chargeable to and payable from Project Code Account PR 83-19, 4-10-15-0008-83, (322305).

Which were read and referred to the Committee on Finance.

Mr. O'Malley presented

No. 1401 Resolution transferring the sum of $10,000.00 from Code Account No. 1457, Purchase of Uniforms and Equipment, Dept. of Police, to Code Account No. 1449, Supplies, Dept. of Police.

Also,

No. 1402 Resolution transferring the sum of $5,000.00 from Code Account No. 57, Social Security Fund, to Code Account No. 32, Refunds, Protest Towing, and Storage Charges.

Also,

No. 1403 Resolution transferring the sum of $121,000.00 from Code Account No. 57-1, Index Code 005710, Retirement Severance Pay-Sick Leave, to Code Account No. 1468, Index Code No. 146803, Equipment, Fire Department.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1404 Resolution providing for the letting of a Contract or Contracts for the furnishing and delivery of air compressor, air cylinders, and masks, at a cost not to exceed $121,000.00 for the Dept. of Fire, Code Account No. 1468, 146803, Dept. of Fire.
—(MR. O'MALLEY)

Which was read and referred to the Committee on General Services.

Mr. Robinson presented

No. 1405 Resolution providing for an Agreement or Agreements with the Pittsburgh Clean City Committee, a non-profit corporation for the purpose of administering the lot maintenance and Greenway implementation activities of the Property Management and Maintenance Program, at a cost not to exceed $200,000.00, chargeable to and payable from CDBGR TF - Community Development Block Grant Reimbursement Trust Fund, (220053).

Also,

No. 1406 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to deliver an amount not to exceed $2,340.00 in the form of a grant to Steve Catranel Construction Company, Inc., from the Neighborhood

Housing Fund for sidewalk replacement work to be performed at 5204, 5208 and 5216 Broad Street in the 10th Ward of the City of Pittsburgh.

Also,

No. 1407 Resolution authorizing the Urban Redevelopment Authority of Pgh. to acquire all of the City's right, title and interest, if any in and to the publicly owned properties in the 21st Ward of the City of Pgh. designated in the Deed Registry Office of Allegheny County as Block and Lots: 7-B-211, 22-F-79, 22-F-80, 22-K-291, 22-K-292, 22-L-133, 22-L-137, 22-L-149A, 22-L-173, 22-L-191, under the Residential Land Reserve Fund.

Also,

No. 1408 Resolution authorizing the Urban Redevelopment Authority of Pgh. to acquire that property in the 25th Ward of the City of Pgh., owned by Jo. E. Ghafor, individually and as administratrix of the Estate of Sarah S. Everett, deceased and designated as Block and Lot 23-G-133 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said propety having been certified as blighted by the. Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 1409 Resolution approving the sale of Parcel 84 (516 Jumilla Street) in the 5th Ward of the City of Pittsburgh by and between the URA and Ann B. Wofford for $6,000.00 — Redevelopment Area No. 32.

Also,

No. 1410 Resolution approving the sale of Parcel 19 (1525-27 Centre) in the Third Ward of the City of Pittsburgh by and between the URA and Most Reverend Anthony J. Bevilacqua, Bishop of the Roman Catholic Diocese of Pittsburgh, Trustee for the Roman Catholic Congregation of St. Benedict the Moor Church, Pittsburgh, Allegheny County, Pennsylvania, for $1.00 per sq. ft. — Redevelopment Area No. 31. (Parking Lot)

Also,

No. 1411 Resolution approving the sale of Parcels 74 and 75 (1937-39 Wylie) in the 3rd Ward of the City of Pittsburgh by and between the URA and Ebenezer Baptist Church for $500.00 — Redevelopment Area No. 31. (Parking)

Also,

No. 1412 Resolution approving execution of Contracts by and between the URA and various Redevelopers for the sale of properties in the 3rd, 5th, 18th and 21st Wards — Residential Land Reserve Fund. (Urban Homesteading Rehabilitation)

Also,

No. 1413 Resolution approving Contracts by and between the URA and various Redevelopers for the sale of properties in the City of Pittsburgh — Property Management and Maintenance Program and Residential Land Reserve Fund for $1.00 per lot in the 3rd and 16th Wards. (Sideyard Sale)

Also,

No. 1414 Resolution approving a Contract for Disposition of Land by and between the URA and David A. Lynch for the sale of Block & Lot 50-L-285 (5160 Dearborn) in the 10th Ward of the City of Pittsburgh for $100.00 — Property Management and Maintenance

Program and Residential Land Reserve Fund. (Sideyard Sale)

Also,

No. 1415 Resolution approving the sale of Parcel 29 (7420 Hermitage) for $100.00 in the 13th Ward of the City of Pittsburgh by and between the URA and Mary A. Vaughn — Redevelopment Area No. 19. (Sideyard)

Also,

No. 1416 Resolution approving a Neighborhood Housing Program Agreement between the URA and Steve Catranel Construction Co., Inc. in which the Urban Redevelopment Authority will provide financial assistance to the purchasers of houses to be constructed in the 10th Ward of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Progam.

Also,

No. 1417 Resolution approving the sale of Parcel 287 (1010 Warlo) in the 21st Ward of the City of Pittsburgh by and between the URA and F.C. and Elizabeth M. McDevitt for $1,600.00 — Redevelopment Area No. 27. (Storage Area)

Also,

No. 1418 Resolution approving execution of a Disposition Contract by and between the Urban Redevelopment Authority and Steve Catranel Construction Co., Inc., for the sale of Block 50-H, Lots 175, 176, 177, and 178, 179 and 180 (503-515 N. Aiken) in the 10th Ward of the City of Pittsburgh for $1,000.00 per dwelling unit — Neighborhood Housing Fund. (Residential Construction)

Also,

No. 1419 Resolution approving exeuction of Contracts by and between the URA and various Redevelopers for the sale of properties in the 25th and 21st Wards — Residential Land Reserve Fund for a total price of $7,740.00.

Also,

No. 1420 Resolution approving execution of a Contract by and between the URA and Garfield Jubilee Association, Inc. for the sale of properties in the 10th Ward — Residential Land Reserve Fund for a total price of $5,560.00.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 1421 Resolution amending Res. No. 747, eff. Sept. 6, 1983, entitled: "Providing for an Agreement or Agreements for architectural engineering services and a Contract or Contracts for construction in connection with the Renovation of Fire Stations at various locations, and providing for the payment of the cost thereof," by increasing the total project allocation from $150,000.00 to $280,000.00.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Woods seconded the motion.

Which motion prevailed.

Michelle Madoff:

Do we have as many bills coming up as we did last week? It was unbearable and Mr. Woods will attest to that because what happens is that we say oh sure, we'll waive Rule 8 and then everything is impacted on one week. It's something we said we wanted to check.

Also,

No. 1422 Resolution further amending Res. No. 627, eff. 8/1/83, as amended by Res. No. 1196, eff. 12/31/83, entitled: "Providing for a Contract or Contracts or the use of existing Contracts and Agreement or Agreements or the use of existing Agreements, for the rehabilitation of Riverview Pool," by increasing the amount provided for Contracts and Agreements from $770,000.00 to $784,450.00, chargeable to and payable from the Riverview Pool Trust Fund, Dept. of Engineering and Construction.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Woods presented

No. 1423 Resolution providing for the issuance of a warrant to Ted Wallace, c/o Bob Gallo, Esquire, Suite 600, 100 Wood Street Building, Pgh., PA 15222, in the amount of $3,000.00 in full settlement of a claim for property damage caused by a 12-inch water main in the area, chargeable to and payable from Code Account No. 46, Judgments.

Also,

No. 1424 Resolution repealing Resolutions approved on various dates, for the sale of properties in various Wards in Pittsburgh in accordance with Act No. 514. Resolution is to repeal sales and forfeit the hand money in the respective sales, as the purchasers have all failed to comply with the Agreement of Sale.

Also,

No. 1425 Resolution repealing Item C. of Res. No. 229, appr. 4-3-84, for the sale of a 2 Sty. Brk. hse. at 146 Robinson Street, 14th Ward, Block & Lot 28-E-155 to Sandra & Marla Oliver for the sum of $10,000.00. Resolution is to repeal the sale and return the hand money. City does not have a marketable Title.

Also,

No. 1426 Resolution amending Item G of Res. No. 1062, appr. 12-6-83 for the sale of a house at 6907 Hamilton Avenue, 12th Ward, 125-L-197 to John F. Ward, for the sum of $12,000.00. Resolution is to correct the plan lot number from 78 to 76. Both the proposal and the Resolution should read: Dallas Plan, Lot #76.

Also,

No. 1427 Resolution amending Item L of Res. No. 446, appr. 6-6-84, for the sale of a lot on Nuzum Street, 29th Ward, Block & Lot 95-H-Part 356, to Robert P. & Rosina T. Nath (W.) for the sum of $300.00. Amendment is to correct the spelling of the name of the former owner from Christ or Chriest to Ghrist or Ghriest. Both the Proposal and Resolution should read: Acquired from Minnie M. Ghrist or Ghriest.

Also,

No. 1428 Resolution amending Item J of Res. No. 466, appr. 6-6-84, for the sale of a house at 1301 Stranmore Street, and a lot at Rear California Street, Block & Lot 22-B-265-275, to

Frank J. Hayden, for the sum of $2,200.00. Resolution is to correct the date of acquisition from 6-11-71 to 6-21-71, on both the Proposal & the Resolution.

Also,

No. 1429 Resolution amending Item D of Res. No. 418, appr. 6-1-84 for the sale of vacant land (Somers Street), 5th Ward, Block & Lot 10-L-131-132-133 to Helen Garrett for the sum of $1,500.00. Amendment is to correct the plan lot number in Parcel 10-L-131 to read 24 instead of 21. Both the proposal and the Resolution should read: Regis & Berger Plan, Lots 24-25.

Also,

No. 1430 Resolution amending Item L of Res. No. 35, appr. 2-9-84, for the sale of vacant land on Flora, Tulia & Textor Sts., 27th Ward, Block & Lot 115-A-245-247 & 115-B-324 thru 335, to Sheila M. Lowe for the sum of $900.00. Resolution is to delete Parcel 115-A-245.

Also,

No. 1431 Resolution amending Item L of Res. No. 652, appr. 8-2-84, for the sale of vacant land on Nuzum Street, 29th Ward, Block & Lot 95-H-348-Part 356, to Robert J. & Joanne Lippert, for the sum of $800.00. Amendment is to correct the spelling of the name of the former owner from Christ or Chriest to Ghrist or Ghriest. Both the Proposal and Resolution should read: Acquired from Minnie M. Ghrist or Ghriest. This correction applies to Parcel 95-H-Part 356.

Also,

No. 1432 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties in various wards, acquired at a tax sale in accordance with Act No. 514 of 1947 as amended.

Also,

No. 1433 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at a tax sale in accordance with Act No. 514 of 1947 as amended.

Also,

No. 1434 Communication from Edward A. Walkowski, Manager, City Information Systems, requesting authorization for himself and James T. McNamara to attend the Purchasing Management and the Computer Course in Chicago, Illinois, from October 11-12, 1984, at a cost not to exceed $2,076.00, payable from Code Account No. 1043, Misc. Services, City Information Systems, Dept. of the Mayor.

Also,

No. 1435 Communication from Edward A. Walkowski, Manager, City Information Ssystems, requesting authorization for himself and John O'Carroll to attend the Honeywell Large Systems Users Forum in New Orleans, Louisiana, from October 7-10, 1984, at a cost not to exceed $2,300.00, payable from Code Account No. 1043, Misc. Services, City Information Systems, Dept. of the Mayor.

Also,

No. 1436 Communication from Ronald C. Schmeiser, Director, Dept. of Finance, submitting a report of deposits and market value of collateral Security pledged by City Depositories to secure same as of August 31, 1984.

Which were severally read and referred to the Committee on Finance.

UNFINISHED BUSINESS

The Chair presents

No. 1199 Resolution approving the reappointment of Mr. George Jacoby of 2388 Crestview Road, Pittsburgh, PA 15216 to the Leasing Authority for a term to expire January, 1989,

Which was read.

Mr. Woods moved to approve the reappointment.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also,

No. 1213 Resolution approving the appointment of Mr. Robert Mistick, 1310 Sheffield Street, Pittsburgh, PA 15233 to the Board of Code Review for a term to expire December, 1987.

Which was read.

Mr. Woods moved to approve the appointment.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also,

No. 1217 Resolution approving the reappointment of Mr. Willie McClung of 105 Broadcast Drive Avenue, Pittsburgh, PA 15235 to the City Planning Commission for a term to expire January, 1990.

Which was read.

Mr. Woods moved to approve the reappointment.

Mr. Robinson seconded the motion.

Mr. Grabowski:

Discussion. Mr. President, I listened to the testimony of Mr. McClung last Wednesday when he appeared before the Finance Committee and by his own admission he indicated he attended approximately 50 percent of the meetings. In my estimation, that's not a very high percentage and I don't feel that someone like that should be serving on the Board and in his case I'm voting no.

Michelle Madoff:

May I respond to that? I think if you take a check of the people who sit on Boards and Commissions who do this voluntarily in the community with their special expertise, I don't think that the attendance performance is much better than that. I think if you check that you may find that his attendance is about average or above.

Mr. Grabowski:

I think you're doing a great disservice to the rest of the people who serve on those Boards by making such a statement.

Michelle Madoff:

I'm not saying it's right. I think that if you appointed me to a Board or Commission, if the Mayor did that, maybe something would happen on the Board or Commission I'm in. The law says, the Home Rule Charter says I should be on one but he hasn't appointed me to one.

The Chair:

I can't attest to his attendance record but the times when I've been there he has definitely been a contributor to the meeting.

Michelle Madoff:

He's outstanding in his ability.

Mr. Grabowski:

I vote no on this one.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES 1

(MR. GRABOWSKI VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion was approved.

Also,

No. 1229 Resolution approving the appointment of Mr. Garland McAdoo of 2840 Shady Avenue, Pittsburgh, PA 15217 to the Zoo Commission for a term to expire October, 1986.

Which was read.

Mr. Woods moved to approve the appointment.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. Robinson:

Mr. President and members of Council, the Unfinished Business I'd like to address is the appointments to the Minority Business Enterprise Reveiw Committee.

As Council is aware, when the Administration originally submitted the names for appointment and reappointment I raised some concerns about whether or not we should take action on those nominees. Council was kind enough to honor my request that we one, make sure that everyone that the Mayor had recommended had an opportunity to peruse the relevant law; and two, that we get some additional clarification as to the structure and operation of that committee.

Subsequent to that time, it has come to my attention through some research that I have done that there are a number of people whose terms have expired and those terms have been expired for more than 60 days. The Home Rule Charter, Section 222, which deals with vacancies on boards, authorities and commissions, gives the City Council the power to make appointments where the Administration has not done so within that 60 day period. Several of the reappointments and appointments that are before us fall into that category and I'd like the Record to reflect what those are.

The Chair:

Mr. Robinson, before you begin. I have some here coming in so maybe

we're talking about the same thing, I don't know.

Mr. Robinson:

For the Minority Business Enterprise Review Committee? That's all I'm speaking of.

The Chair:

Okay.

Mr. Robinson:

Mr. John Adams whose term ended, his most current term ended April, 1984. Jan Nefky whose term ended April, 1983. Mr. Adams term has ended four months plus, so for four months that has been vacant. Jan Nefky resigned on December 22, 1983. That's been vacant for eight months. Gloria Fitzgivens passed in November, 1983. Her position has been vacant for nine months.

Unfortunately, the Committee has been unable to function for lack of a quorum and I would suggest that part of the reason they have been able to function for lack of a quorum is that three positions have been vacant for more than four months. I would think that it would be appropriate, and I'll make a motion at the appropriate time, for the President of Council to establish a committee so that we can accept names and biographical data to be used as a basis for the filling of vacancies on the Minority Business Enterprise Review Committee.

In that same regard relative to that committee, it seems to me that given the Committee's primary responsibility which is to review minority and women's input into major project in this City that it is essential that they have a full complement of members, that those members be knowledgeable in the area that the Committee has to work in and that we make sure that there is no appearance of conflict between an individual's administrative responsibilities if they have any in the City of Pittsburgh and policy making responsibilities relative to that Committee.

There are several people who now serve on that Committee and some are being recommended by the Administration who now have administrative responsibilities within the City of Pittsburgh where they directly are involved in administering programs that impact upon minority and female input. It seems to me that that strains the credibility of the Committee. Inasmuch as this is the only committee that I know of where you have that kind of situation, where you have City administrators administering programs that they also set policy around. The only place in government where I know that is acceptable is at the County Commission level in all 67 counties in the Commonwealth of Pennsylvania where the Commissioners are both the legislative and administrative branch of government.

Also, I think it is important and relevant to this issue, as Council is aware on September 19, 1984 there was a post agenda called to accommodate Mr. Leon W. Howard, Jr. who was the Vice-Chairman of our Planning Commission. He no longer holds that position. His concerns specifically related to the MBE input into a particular project, the Grant Liberty Project, and more generally this City's involvement in the whole process of providing opportunities for minorities and women. During the discussions with Mr. Pellegrini who represented the Mayor and Mr. Howard and I believe Councilman Givens was present, Mr. Pellegrini indicated that there was some

negotiations going on between black community leaders, the Mayor and Mr. Pellegrini to establish a memorandum of understanding or a memorandum of agreement relative to this City's minority business and women's business efforts.

The reason I raise it at this point is that City law already provides for that input, specifically through the Minority Business Enterprise Review Committee. I believe Councilman Woods was also at the meeting. It seems to me that whatever we're going to be doing, that if it is necessary for us to make it work and necessary to give credibility to the process, then we ought to try to involve everyone that needs to be involved. This Council has been in the forefront of the effort to provide opportunities for minorities and women legislatively. We have initiated every piece of legislation and as the sponsor of that legislation I am very grateful to my colleagues who have been supportive and I would hate to see us now get into a situation where we're going to obligate ourselves by way of administrative action through some commitments surrounding minority and women's input and to the business activities of the City in the face of legislation being on the books and a mechanism already in place.

I think it is imperative that this Minority Business Enterprise Review Committee be reconstituted and reconstituted in such a fashion that it is clear to everyone, those with whom we are doing business, those with whom we receive money, and those who we say we are trying to serve, women and minorities in this City and wherever they may be, that there is a process to legitimately and substantively involve them in the business activities of this City. With the Minority Business Enterprise Review Committee structured the way that it is and functioning the way that it is, it cannot accomplish that goal. It would appear to me that the Administration is not prepared to submit names of individuals who can serve on that Committee and serve in such a fashion that the Committee can do the job that it's detailed to do.

Three other comments if I might. One, that Committee has not forwarded to the Mayor the quarterly reports that the law requires.

Two, the Solicitor's Office has not provided staff assistance to the Committee as the law requires.

Three, the Committee has not been operating with the quorum that the law requires.

Four, the persons whose names have been submitted to Council, I believe should be rejected, not because of the individuals but because of the appearance of conflict based on their employment with the City of Pittsburgh and/or their lack of expertise in this regard.

The Women's Task Force, which came subsequent to the Minority Business Enterprise Review Committee, is taking on a responsibility that the Minority Business Enterprise Reveiw Committee has. That is, giving women access to business opportunities in the City of Pittsburgh through Renaissance II. They have the support of the Mayor, they have a budget provided by the Mayor's Office, they have staff provided by the Mayor's Office, they have received the full recognition that they rightfully deserve to give them a credible approach to resolving issues for women.

The Minority Business Enterprise Review Committee does not have staff, does not have a budget, does not have an

office, and has not enjoyed the full support of the Administration. It seems to me that we should not treat the minority community any less than we do the female community. Inasmuch as one of the persons that the Mayor recommended to serve on the Minority Business Enterprise Review Committee, Margaret Baker is a member of the Women's Task Force, the Administration must recognize some correlation between the two.

I raise this today because the issue is evidently coming to a head and it would appear that there seems to be no way to seriously negotiate or discuss this and I guess in lieu of the Administration wanting to make any kind of accommodation at all, they might insist that this Council consider the nominees that are presented. I'll have to be on record at this point objecting to the process that's being used by the Administration, to the constitution of the Minority Business Enterprise Review Committee, to it's operation and to the manner in which the Administration would like to fulfill what it perceives to be its obligation to fill those seats.

If the Chair will entertain my motion at this time, I will make a motion pursuant to Section 222 of the City Charter for Council to fill the three vacancies on that Committee.

The Chair:

Mr. Robinson, I have a problem procedurally with that. If I understand correctly, we have what, three or four appointees already?

Mr. Robinson:

I do not know the exact number of persons that the Mayor is recommending. I just know that three of the positions have been vacant for more than 60 days.

The Chair:

I'm told there are five which were presented by the Administration. It would appear to me procedurally what we would have to do is act on those. If he puts them in we can't say that he didn't act within the 60 day period therefore we have the right to act. It would appear to me that we've got to vote up or down and if we reject then he still has the 60 day period in which to appoint someone acceptable to Council. I would say that that doesn't apply yet. I think we're premature invoking that provision until we act on the ones that he's given.

Mr. Robinson:

Point of information, Mr. President. Let me go over these three again. I believe if the City Clerk would secure for us the date that the Mayor submitted the last group of potential appointees to the Minority Business Enterprise Review Committee, you will see that 60 days has passed since Mr. John Adams' term expired in the fourth month of '84; Jan Nefky's term expired upon her resignation in the twelfth month, the 22nd day of '83.

The Chair:

Let me see if the Chair understands you correctly. You're saying that from the time of the vacancy until he put them in, 60 days has passed.

Mr. Robinson:

Yes.

The Chair:

But there is now appointees that he's made.

Mr. Robinson:

But it was not within the 60 day period. We still are within our purview to try and fill these vacancies.

The Chair:

If I recall on this situation the last time it came up, there were a lot of appointments. I think what it is, if he does't make the appointments then we have the right to do it.

I would think that we ought to be voting up or down those people and if, as you have indicated, they are people who should not serve then they should be voted down and then some kind of idea indicated to the Mayor of the kind of personalities generically we ought to be having on that group.

Mr. Robinson:

Mr. President, if I might for one more minute. This issue arose some time ago; I believe it was last year there were some vacancies and I raised the same concern. You indicated at that time you felt that we should give the Administration an opportunity to fill those vacancies. We did that and the Administration moved very quickly. I think there are some other issues here beyond simply filling the vacancies.

With your cooperation, perhaps the Administration which has not responded to date to the concerns at least that I have raised, perhaps with your cooperation the Administration might be willing to address these concerns prior to Council interviewing and entertaining the nominations of the people that the Mayor has submitted. I certainly have no objections to the Mayor submitting the names of those people he thinks are most qualified but I do have objections to people being put in the position where the credibility of the process they're going to operate in is being brought into question. I think the Minority Business Enterprise Review Committee has suffered enough and it doesn't do us any good or the people that they're supposed to serve for them to continue to try and labor under what are obviously adverse conditions.

The Chair:

If you would like me to set up a meeting I will.

Mr. Robinson:

Thank you.

Michelle Madoff:

I'd like a ruling from the Parliamentarian at this point.

The Chair:

Are you on the same subject as he was?

Michelle Madoff:

I presume we are under Old Business and Unfinished Business. Is that correct?

The Chair:

Unfinished Business, not Motions and Resolutions.

Michelle Madoff:

I didn't say Motions and Resolutions.

The Chair:

Unfinished Business.

Michelle Madoff:

Mr. Woods and I were having a discussion the other day when you were absent about the fact that there's no possibility or no proper forum for discussion of old business unless we wait until everybody is gone at the end of the meeting on Monday.

I believe, and I would like a clarification, that at this point the President of Council says, "Unfinished Business or Old Business". Which is it? Unfinished or Old? Unfinished and not Old? Which is it? Which is the correct term? Is the Parliamentarian here?

Parliamentarian:

Unfinished Business.

Michelle Madoff:

Not Old Business? Okay. The Presidents have always said, "Any Old Business or Unfinished Business?" That may just have been a slip of the lip.

Since I don't know that this would be defined as Unfinished Business, I will bring it up at the end of the meeting.

The Chair:

Under Motions and Resolutions.

Michelle Madoff:

It is not a motion; well, it is a motion in a sense.

The Chair:

At that general discussion area.

Michelle Madoff:

Okay, discussion in motions at the end of the meeting with reference to my being infuriated about this parking story that I just read and if everybody leaves I'll hold a press conference right afterwards.

The Chair:

Fine.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 1437

Report of the Committee on Finance for September 19, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1334

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of The Fiesta Band in the amount of $1,447.40 in payment for services furnished for the benefit of the City without previous authority of law."

Which was read.

Also,

Bill No. 1335

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Pitt Chemical and Sanitary Supply Company in the amount of $3,158.60 in payment for the purchase of poly bags furnished for the benefit of the City without previous authority of law, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1339

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Frank T. Donnelly Company, P.O. Box 11527, Pittsburgh, PA 15238, in the amount of $930.05 in payment for Purchase Of Valve Repair Parts and providing for the payment thereof."

Which was read.

Also,

Bill No. 1341

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Sciulli Brothers, Inc. in the amount of $130.00 in payment for Extra Work, being in addition to the original contract price of $256,617.10 on Controller's Contract No. 26885, furnished for the benefit of the City in connection with Waterline Installation - Various Locations - No. 1744; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1343

A Resolution entitled, "Resolution providing for the issuance of a warrant, without previous authority of law, in favor of Edward M. Goldston, in the amount of $350.00 in payment for a refund of a fire alarm fee."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Wagner
Mr. Grabowski	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1344

A Resolution entitled, "Resolution transferring the sum of $15,000.00 to Code Account No. 1042-1, Index Code 104216, Premium Pay, City Information Systems, Department of the Mayor, from Code Account No. 1043, Index Code 104307, Miscellaneous Services, City Information Systems, Department of the Mayor."

Which was read.

Also,

Bill No. 1345

A Resolution entitled, "Resolution transferring the sum of Six Thousand Dollars ($6,000.00) from Code Account No. 55-1, Policemen's Widows Pension Fund (Index Code 005512) to Code Account No. 55-2, Retired Police Officer Payments (Index Code 005520)."

Which was read.

Also,

Bill No. 1346

A Resolution entitled, "Resolution authorizing the Mayor and the City Solicitor to enter into an Agreement or Agreements for the hiring of counsel to represent defendants Thomas Flaherty, Jeanne Terrence, Robert W. Kubit and Scott E. Becker in the case of Lawrence J. Fedigan vs. City of Pittsburgh, Thomas Flaherty, Controller, City of Pittsburgh; Jeanne Terrence; Robert W. Kubit; and Scott E. Becker filed in the Court of Common Pleas of Allegheny County, Pennsylvania, at G.D. No. 84-14626, at a cost not to exceed $12,000.00, payable from Code Account No. 1075, Miscellaneous Services, Department of Law, Index Code No. 107508."

Which was read.

Also,

Bill No. 1313

A Resolution entitled, "Resolution amending Resolution No. 71, approved February 16, 1984, entitled, 'Providing for an Agreement or Agreements with a Physician or Physicians, for professional services in connection with the examination of candidates for employment such as police officers, firefighters, paramedics, school crossing guards, and extra helpers; and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 1314

A Resolution entitled, "Resolution amending Resolution No. 74, approved February 16, 1984 entitled, 'Providing for an Agreement or Agreements with various hospitals and/or physicians for professional services in connection with the administration and evaluation of medical examinations and tests for the Civil Service Commission's medical Examination Program for Police Officer candidates, Firefighter candidates, and other candidates for employment and promotion; and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 1315

A Resolution entitled, "Resolution amending Resolution No. 493, approved June 14, 1984, entitled, 'Providing for an Agreement or Agreements for specialized professional services in connection with conduct of negotiations and arbitration proceedings including labor relations advice, representation at negotiating meetings and economic and job evalulation advice, and related personnel matters; and providing for the payment of the cost thereof.'"

Which was read.

Mr. Givens:

Mr. President, we had some bills held last week and I missed some of your dialogue there. Bill 1314 and 1315, where they held?

The Chair:

They'd be back in Committee.

Mr. Givens:

Okay. That's what I thought.

Also,

Bill No. 1357

A Resolution entitled, "Resolution transferring the sum of $50,000.00 from Code Account No. 1443 (144303), Salaries and Wages, Regular and Temporary Employees, Department of Police, to Code Account No. 1443-6 (144360), In-Grade Pay, Department of Police."

Which was read.

Also,

Bill No. 1358

A Resolution entitled, "Resolution transferring the sum of $20,000.00 from Code Account No. 1457 (145706), Purchase of Uniforms and Equipment, Department of Police, to Code Account No. 1446-1 (144618), Investigation Expenses, Department of Police."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Wagner
Mr. Grabowski	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1368

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of G.J.M. Contractors, Inc., in the amount of $43,405.73, in payment for Extra Work completed to date, being in addition to the original contract price of $245,179.00 on Controller's Contract No. 26920, furnished for the benefit of the City in connection with the Reconstruction of the South Craig Street Sewer; and providing for the payment thereof."

Which was read.

Mr. Wagner:

I vote aye and I'd like my comments brought forward on Bill No. 1368 from last Wednesday.

(BEGINNING - MR. WAGNER'S REMARKS ON BILL NO. 1368 - WEDNESDAY, 9/19/84)

Mr. Wagner:

Looking at this job from an overview, I don't think anyone in particular is at blame, but I think it is important that we analyze it to determine what did happen that went wrong and how we can prevent a similar reoccurrence, which leads me to my next question.

If the City of Pittsburgh had employed on a full-time basis a Soils Engineer in the Engineering and Construction Department, and if we would have properly analyzed the soil on Craig Street prior to the bidding of the project, could that have better prepared the contractors to anticipate the problems that they did run into on this project?

Mr. McDermott:

Well, there's no doubt about it, if we would have taken core borings and would have analyzed the soil conditions, we could have anticipated this condition and would have alerted the contractor to special precautions that they should take.

Mr. Pellegrini:

I'd just like to make one comment. The general contract conditions specifically provide any bidder can take core samples of any City street that he's going to bid on, once he obtains permission of the Director.

Mr. Wagner:

Well, were there any core samples taken by any of the bidders on this contract?

Mr. McDermott:

I don't know.

Mr. Givens:

Did the City do any core borings?

Mr. Wagner:

None.

Mr. Pellegrini:

No. They're authorized to take, the contractors are authorized to take the core borings to determine as to whether the methods that they want to use in construction are proper or not.

Mr. Wagner:

Well, if we would have — if we employed a Soils Engineer, or if we would have required the contractors bidding on the project to perform some borings, and determine the soil conditions, in your opinion, Mr. McDermott, would the same problems, would they have occurred on this project?

Mr. McDermott:

They would have occurred if the contractor had elected to use the same construction methods that he used when he encountered the material. As soon as he started excavating, he was fully aware of the soil's condition. There are precautions you can take in construction methods to be used to keep that from falling in the trench, and that is shoring. The contractor elected not to do that.

Mr. Wagner:

Are we attempting to put into the budget for next year a Soils Engineer?

Mr. McDermott:

We have a budget item for three special consultant services on an annual, as-needed basis, tentatively set for the 1985 budget. Soils engineering was one of them.

Mr. Wagner:

Why not just a full-time staff person that is knowledgeable in that area?

Mr. McDermott:

Well, the contract that I'm proposing to go out to on a Soils Engineer provides for testing also, and to put an individual on the staff and we would then have to go outside to have the soils tested, take the samples and send them out. So, for the continuity in the evaluation of the soil's condition, I would

rather go to the responsibility of one person, the person that takes the test also tests it so that there's no breakdown saying that the sample was disturbed between the time he took it and I got it and those types of conditions.

Mr. Wagner:

How many dollars have been put in the budget for that purpose?

Mr. McDermott:

Fifty thousand dollars for soils on an annual basis.

Mr. Wagner:

Are we going to employ one company or several?

Mr. McDermott:

Well, I want to go out for bids or proposals in January of '85, if that stays in the budget, and take proposals from soils consultants in the Pittsburgh area, and then select the right firm and have them on call on an on-needed basis for the remainder of 1985.

Mr. Wagner:

One last point I'd like to make. This particular piece of legislation, and the $43,000.00, which is part of the extra work which I believe totals about $88,000.00, this water line is actually in operation right now, is that correct?

Mr. McDermott:

No, it's not.

Mr. Wagner:

It's not.

Mr. McDermott:

No, we're still using the temorary service.

Mr. Wagner:

We're using the temporary for the entire length of Craig Street?

Mr. McDermott:

This has to be run on up to Fifth Avenue before it can be cut over and put into service.

Mr. Wagner:

Well, has this water line been tested? Do we know that it's functional?

Mr. McDermott:

Not yet.

Mr. Wagner:

Not as yet.

Mr. McDermott:

The retainage, the 10 percent retainage on the value of the work performed is more than adequate to cover the testing and the sterilization of that line.

Mr. Wagner:

And for that reason we will hold onto this $43,000.00 check until that total line is completed and we're sure that it's functional and meets all specifications.

Mr. McDermott:

And acceptable, yes.

(END - MR. WAGNER'S REMARKS ON BILL NO. 1368)

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Wagner
Mr. Grabowski	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1372

A Resolution entitled, "Resolution amending Resolution No. 671, approved August 12, 1983 and effective August 20, 1983, entitled, 'A Resolution of the City of Pittsburgh increasing the bonded indebtedness of the City by the issuance of general obligation bonds in the aggregate principal amount of $53,000,000.00,' by authorizing a professional services contract with Mellon Bank, N.A. to act as Paying Agent and Registrar."

Which was read.

Also,

Bill No. 1373

A Resolution entitled, "Resolution transferring twenty-five thousand dollars ($25,000.00) from Code Account 57, Index Code 005702, Social Security Fund, Department of Finance to Code Account 1058, Index Code 105809, Sinking Fund Commission."

Which was read.

Mr. Givens:

I vote aye on all bills but I would like the records brought forward on communications on Bills 1348, 1349, 1350, 1351. I'd like my comments from the Wednesday to be brought forward. These are all travel requests adding up to some several thousands of dollars and I ask with that a report of all committees — that's been almost two or three weeks ago — of their travel time that they have done over the previous year.

What I'm trying to do is have some type of curtailment on the amount of travel and expenditures of material goods in the City of Pittsburgh. Come November, we might all be surprised and I don't want to lay off any more City employees than what we absolutely have to. But if we don't tighten the belt in these last several months when most of our purchases are done for this year, one can assume that we're running on last year's supply. We should really start buying those supplies about mid-summer for this year and part of next year.

So, I ask all departments on travel, and I sent a letter out to all the departments in regards to the purchasing of equipment and materials to hold it down to an absolute minimum until we get that court decision.

(BEGINNING - MR. GIVEN'S REMARKS ON BILL NOS. 1348, 1349, 1350, AND 1351 - 9/12/84)

Mr. Givens:

I am opposed, Mike, for reasons so stated, so I'd like to repeat myself, or not to repeat myself, I'll make a no vote in all these travel requests, and I'd like a statement put in there so I don't have to repeat it each time on the record.

(MR. GIVENS' STATEMENT)

As I echoed last week, we have something very hard facing this Council and facing this Administration and that is a $31 million possible deficit because of a tax question before the Commonwealth and now the Supreme Court of the State of Pennsylvania. I've asked all the directors that only where absolutely necessary, to send people on trips anyplace because that is one area that we can cut back in.

Another area we can cut back in is supplies and I think we have to tighten our belts up. If the Mayor is putting the freeze on the hiring of people, then we have to put somewhat of a freeze on the purchasing of equipment and the sending of people anyplace within the country because otherwise, we want to be in a more favorable position that what we might be in if the Supreme Court decision comes down, because it is going to be a dramatic one.

I want to try and save as much money as we can and only because of that situation. I think people should travel and they should be educated and everything else, but when the buck is not there, when the dollars that are facing us in the future are going to be critical, then I think we in this Council must then ask ourselves that these not be appropriated and that the directors, before they send anybody anywhere or purchase any equipment, major equipment, that we could forestall until this final decree comes down from the Supreme Court and that we hold everything almost in obeyance and hopefully that will come in shortly. For that reason, I will vote no on all travel requests and all future travel requests until something comes up that might relieve this situation.

Michelle Madoff:

Mr. Chairman, please, I'd like for the record to point out there are things that are cost effective. That is being penny wise and pound foolish. If we have people better informed they can do a better job. We are talking about peanuts compared to saving the City thousands. Every time Mr. Givens' comments are put in I would like my comments put in also. So he doesn't have to repeat it, just repeat mine also.

(END - MR. GIVENS' REMARKS ON BILL NOS. 1348, 1349, 1350 AND 1351)

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Wagner
Mr. Grabowski	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 1438

Report of the Committee on Public Works for September 19, 1984 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1329

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Four, Public Places and Property, Article III, Sewers, by amending Chapter 431 Usage and Connections, by further regulating the discharge of waste materials into sewers of the City of Pittsburgh; prohibiting the discharge thereinto of wastes which may damage the sewers or other facilities of the City of Pittsburgh or of the Allegheny County Sanitary Authority, which may interfere with or pass through the Allegheny County Sanitary Authority sewage treatment process, or which may endanger life, health or safety, or may violate laws, rules or regulations controlling the discharge of sewage and industrial waste as promulgated by the Federal Government, the Commonwealth of Pennsylvania, the County of Allegheny, the Ohio Valley Water Sanitation Commission or by the Allegheny County Sanitary Authority; and providing for penalties for violation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Wagner
Mr. Grabowski	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Robinson presented

Bill No. 1439

Report of the Committee on Planning, Housing and Development for September 19, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1340

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A-9 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the University of Pittsburgh for authorization to install an 86 stall parking area on certain property having 325.44 feet of frontage on South Bouquet Street zoned "R4" Multiple-Family Residence District and being identified as Lots No'd. 287, 288, 291, 292, 293, 294 and 296, Block 28-L in the Allegheny County Block and Lot System, 4th Ward."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Wagner
Mr. Grabowski	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Grabowski presented

Bill No. 1440

Report of the Committee on General Services for September 19, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1332

A Resolution entitled, "Resolution providing for the letting of a contract or contracts or for the use of existing contracts for the purchase and delivery of a Magnetic Tape Cleaner for the Department of General Services, Code Account 4-30-01-0001-83, Index Code 370106, Miscellaneous Equipment, for payment thereof."

Which was read.

Also,

Bill No. 1333

A Resolution entitled, "Resolution providing for the letting of a contract or contracts or for the use of existing contracts for the purchase and delivery of Metal Shelving for the Department of General Services, Code Account 4-30-010001-83, Index Code 370106, Miscellaneous Equipment, for payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

Bill No. 1441

Report of the Committee on Parks and Recreation for September 19, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1336

A Resolution entitled, "Resolution providing for authorization to enter into an agreement or agreements with various contractors for services in conjunction with the 1984 Pre-School Program and providing for the payment of the cost which is not to exceed Twenty thousand five hundred ($20,500.00) dollars and is chargeable to and payable from Special Parks Program Trust Fund (SPPTF), Code 254359, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 1337

A Resolution entitled, "Resolution providing for a license agreement or agreements with Equitable Gas Company for the right-of-way to install 658 feet of three (3) inch pipeline at the end of Lake Drive, Highland Park Zoo, 11th Ward, City of Pittsburgh, Allegheny County, at no cost to the City."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Malley presented

Bill No. 1442

Report of the Committee on Public Safety for September 19, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1385

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Addison Terrace Learning Center in connection with their Pre-Teen Drug and Alcohol Prevention Program, and transferring $10,000.00 from Code Account No. 10, (Index Code 001008) Accounts Payable, Prior Years, to Code Account No. 1447, (Index Code 144709), Miscellaneous Services, Department of Police." **(SPONSORED BY MR. STONE)**

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 1443

Report of the Committee on Engineering and Construction for September 19, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1342

A Resolution entitled, "Resolution amending Resolution No. 1095, effective November 12, 1981, entitled, 'Providing for a contract or contracts for North Side Concrete Step Construction and Reconstruction - various locations, including work on private property and other work incidental thereto; and providing for the payment of the cost thereof', by amending the title and by increasing the total project allocation by $300,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 1444 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, informing Council of the appointment of Ms. Eugenia Hull of 5938 Revenna Street, Apartment #1, Pittsburgh, PA 15232, as member to the Personnel Appeals Board for a term to expire January, 1986.

Which was read, received and filed.

Also,

No. 1445 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, reappointing Mr. Arthur Fidel of 5421 Maynard Street, Pittsburgh, PA 15217 as member to the Zoo Commission for a term to expire October, 1988.

Which was read, received and filed.

Also,

No. 1446 Resolution approving the reappointment of Mr. Arthur Fidel of 5421 Maynard Street, Pittsburgh, PA 15217 as member to the Zoo Commission for a term to expire October, 1988.

Which was read.

Also,

No. 1447 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, appointing Mr. Watfa Midani of 227 Beechwood Boulevard, Pittsburgh, PA 15217 to the Art Commission for a term to expire January, 1986.

Which was read, received and filed.

Also,

No. 1448 Resolution approving the appointment of Mr. Watfa Midani of 227 Beechwood Boulevard, Pittsburgh, PA 15217 to the Art Commission for a term to expire January, 1986.

Which was read.

Also,

No. 1449 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, appointing Ms. Judith H. Veres of 340 Amabell Street, Pittsburgh, PA 15211 as a member of the Board of Code Review for a term to expire December, 1987.

Which was read, received and filed.

Also,

No. 1450 Resolution approving the appointment of Ms. Judith H. Veres of 340 Amabell Street, Pittsburgh, PA 15211 as a member of the Board of Code Review for a term to expire December, 1987.

Which was read.

Also,

No. 1451 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, appointing Ms. Dorothy Binstock of 5621 Callowhill Street, Pittsburgh, PA 15206, as a member to the Human Relations Commission for a term to expire March, 1987.

Which was read, received and filed.

Also,

No. 1452 Resolution approving the appointment of Ms. Dorothy Binstock of 5621 Callowhill Street, Pittsburgh, PA 15206, as a member to the Human Relations Commission for a term to expire March, 1987.

Which was read.

Also,

No. 1453 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, appointing Mr. Thomas D. Jordan of 1822 Webster Avenue, Pittsburgh, PA 15219 as a member of the Human Relations Commission for a term to expire July, 1986.

Which was read, received and filed.

Also,

No. 1454 Resolution approving the appointment of Mr. Thomas D. Jordan of 1822 Webster Avenue, Pittsburgh, PA 15219 as a member of the Human Relations Commission for a term to expire July, 1986.

Which was read.

Also,

No. 1455 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, appointing Dr. Edward Paul Cohen of 5500 Darlington Road, Pittsburgh, PA 15217 as a member of the Human Relations Commission for a term to expire March, 1987.

Which was read, received and filed.

Also,

No. 1456 Resolution approving the appointment of Dr. Edward Paul Cohen of 5500 Darlington Road, Pittsburgh, PA 15217 as a member of the Human Relations Commission for a term to expire March, 1987.

Which was read.

Mr. Woods moved to hold the bills for two weeks.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. Woods presents

Bill No. 1457 WHEREAS, on October 7, 1970, Michael Flynn, a teenager from the Spring Garden Community, with youthful curiosity ventured onto a decaying industrial complex now known as the Spring Garden Ballfield, and lost his life in an incident that shocked and saddened his neighborhood; and

WHEREAS, in 1980, the concerned citizens of Spring Garden, with the cooperative efforts of City Government, cleared this sight - and public safety in this area is now a source of pride for both City and neighborhood representatives; and

WHEREAS, this Council wishes to memorialize young Michael Flynn, whose tragic death has reaffirmed the City's commitment to continue its never-ending search to seek out and remove dangerous obstacles that threaten the safety and life of the citizens.

NOW THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City Council hereby designate the Spring Garden Tennis Court and Ballfield as, "MICHAEL FLYNN FIELD" as an expression of sympathy and love and as a lasting tribute to his memory.

Mr. Woods moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Michelle Madoff:

Mr. President and members of Council, The article that appeared in the Press, an investigative story — Well, to say that I am infuriated would be an understatement.

I cannot believe — I have a prepared statement that I'll try to stay close to so that I don't take up a lot of time — that three members of Council, Mr. Stone, Mr. Woods and Sophie Masloff, who voted in support of weakening the garage bill which provided security guards not just existing employees, putting them in uniforms, who have not had their backgrounds check, is like putting the rapist in uniform or the mugger or the burglars who ransack our cars particularly at the holiday season into uniform.

First of all, I want to commend Mr. Robinson for having the decency to

turn his card in and I would like to ask the three other members to do likewise. We as members of Council are offered memberships in the Allegheny Club for $60 instead of $600, parking at the inner circle of the Stadium where people jokingly say, "If you don't want it, Michelle, I'll take it", I've rejected that, or a season ticket to Pitt. I ask that we not only turn our tickets in but, according to the Home Rule Charter, any member of Council who receives something of greater value than the general public in the City of Pittsburgh can lose their seat.

I spoke to a judge today. He said he didn't have a petition before him but if he did he would rule on that. If you read the sentence it says that it is interpreted broadly which means that it says, "Yes, we can be removed."

I'm trying to stay cool. I worked on that bill for six months. Carmen Gunther, my administrative assistant, worked on it day and night and did an outstanding job.

The thought that lives of people could be traded for a free parking space is beyond belief. Garages are a natural habitat for muggings, rapes, thefts, narcotics exchanges, because they're out of view of observers.

Ironically, Dave Matter and Ron Schmeiser have been very helpful in trying to get my bill enforced. Dave Matter has helped us set up a system so that we can check the number of crimes at all Downtown garages. To date, crime stats have been charted differently in the garages so that they don't show up and give our general crime rate the appearance of being low. Calls to our office from people who are unwilling to go public because of the stigma of rape — I spoke to a young woman who works at Kaufmanns who on a Friday in the garage at the Hyatt, in the basement, some months ago had had her car burglarized and on a Monday she had a black mark on her neck because she had been choked. Women who are raped don't want to go public; they don't want the stigma; they don't want their boyfriends or men knowing about it. So there are more crimes that go unreported that take place in garages.

As of today the following enforcement is in effect. After six months time to comply, 85 percent of the garages were in violation of surveillance by not providing security guards in garages before Councilman Grabowski's amendments. Now, Councilman Grabowski, it was only 85 percent but they're up to 100 percent. Probably by hiring people at minimum wage, putting them in a uniform, or getting somebody who is collecting the ticket money at the door and running through the garage once or twice, 100 percent of our garages are in violation of written reports on the Detex system. For those listening who may not know what a Detex system is, it's a piece of equipment that when you go on the floor you punch it so that we know you were there because prior to our amending the bill somebody could be in the garage, sit and have a corned beef sandwich in the office and just write in times. There's no one to whom they were to turn that information in and we amended the bill. Seventy percent of our garages are in violation of emergency phones and elevators. Seventy percent are in violation of directional arrows and I'm sure the lighting is not completed.

One of the things that has come out of the bill is that we've created jobs. I think that's an important issue for this Council, particularly in this community. We have not had security checks of the people who are supposedly protecting us, and again I repeat, that's

like having the rapist in uniform. I think the thing that offends me more than anything else, that I was such a naive neophyte, that during the hearings I pointed to Mr. Stabile and said, "I resent your offering me a parking space free when I come into the garage across the road here and your people saying to me — Nine dollars is outrageous. Nine dollars. What about people who don't earn what we do in Council having to pay nine dollars sometimes when they have to go to a doctor appointment and park — and they said, 'Oh, Mr. Stabile says you don't have to pay.' I said, 'I will pay and give me a signed receipt.'" And I have my signed receipts. I think Mr. Stabile is a manipulator of Council. He's arrogant and it's the worst form of arrogance that I've ever seen.

I think if we get some disclosure we will see, according to the newspaper article and I presume they did their homework, there were several reporters working on this story, that you sign if you did not pay. I want to see those signed checks. I'm going to ask Mr. Stabile; I'm going to get an attorney to get them under discovery.

Next week I will be further amending the garage bill which will include 24-hour surveillance or closing down when you have no one available; the guards will be in uniform and will have their backgrounds checked; and there will be no variances for extra numbers of entrances and exits. If things get worse, by next week with the help of Mr. Matter, we expect to have some meaningful stats and I'm going to recommend that we have guards carrying guns.

The most important thing that we need is lighting but even more than that is we need guards who will appear at any moment, who do not go through a 10 story garage 10, 9, 8, 7, 6 so that the person who is up to no good sees that the guard is on 10 and is coming down so he has time to get to the basement, but a sign that is posted that says that a guard may appear at any time. They can go on the 10th floor, the 3rd floor, the 2nd floor, the 8th floor and so on.

I ask before I continue, will the three members, Mr. Woods, Mr. Stone and Sophie isn't here but I'll ask her, will you turn your card in?

The Chair:

Are you finished, Michelle?

Michelle Madoff:

Yes I am.

The Chair:

Mr. Robinson?

Mr. Robinson:

Mr. President and members of Council, one other item. —

Michelle Madoff:

We're on the same subject I hope. I asked a question.

Mr. Robinson:

No, I'm on another subject.

Michelle Madoff:

I think he was asking you whether you wanted to address the same subject. Am I correct?

The Chair:

As I indicated to the Press and I'll tell you, I've never used a pass.

Michelle Madoff:

Would you turn it in?

The Chair:

If there's a pass that I had it's gone back. I don't know where it's at.

Michelle Madoff:

The reason I'm asking is that even Mr. DePasquale always abstained when there was a member of his family or anyone who could remotely have anything to do with business he was doing. I am going to be doing some consulting for a firm. I have three attorneys checking to see, one is Mr. Baskin and there are two other attorneys, to see that I am not going to be in conflict of interest with this City. I won't vote if there's any question and I didn't vote when there might be a question.

Will you turn yours in, Mr. Woods? You seem to know where your's is.

The Chair:

Mr. Robinson?

Mr. Robinson:

This is on a different subject, Mr. President.

Michelle Madoff:

Obviously it's a different subject.

The Chair:

We'll go on to the next subject. She's finished speaking.

Mr. Robinson:

My concerns relate to Council Bill 3957 of 1983 and Council Bill 1150 of 1984. These two bills require the City Solicitor to prepare for Council and the Mayor a set of procedures for the receipt, distribution, management, and monitoring of UDAG and HODAG funds.

The reason I'm raising this concern at this point is for two reasons; one, it's my understanding that the Solicitor is in the process of grafting some sort of memorandum of agreement or understanding relative to the receipt of UDAG or HODAG funds that will not be consistent with either one of the Council bills that I mentioned and evidently is not going to be perused or reviewed by Council.

The other reason is that the first bill, Council Bill 3957, its' effective date was January 6, 1984. My concern is that here we are near the end of September, 1984 and we have yet to receive from the Solicitor what was required by Council Bill 3957. We are receiving UDAG funds, we anticipate receiving UDAG funds, we anticipate receiving HODAG funds, yet the Solicitor, I guess for good reasons, has been unable to provide to the Mayor and this Council information requested in that bill.

The second bill was approved August 6, 1984. That's Council Bill 1150. It became effective August 21, 1984. Again, my concern is that both bills had a 30 day requirement. That is, 30 days after the approval of the bill we were supposed to have and the Mayor was supposed to have the guidelines and procedures for our approval.

We have yet to receive either set of guidelines yet from Mr. Pellegrini's own statements, he is in the process of preparing a memorandum of agreement

that I assume will be signed by HUD, the Mayor, himself, and some black community leaders relative to this whole issue of receipt of HUD's funds. It just seems to me that someone is putting the cart before the horse. There's an obligation for the City Solicitor to provide to this Council and the Mayor the information requested in those two bills and certainly not to put us in the position where perhaps the Administration is going to obligate this City beyond it's capacity to obligate us.

These bills are in effect; they were passed legally and it would seem to me that we need to find out exactly what is going on. I would hope that the City Clerk could reach Mr. Pellegrini and perhaps have him available on Wednesday at the Council session so that we might find out from him if and when we could get any information on Council Bill 3957 of 1983 and Council Bill 1150 of 1984. Mr. Pellegrini did indicate that Council could review the document that he is preparing for the Mayor. From what he indicated, that document at least in part responds to the two Council bills that I made reference to and specifically deals with some sort of commitment to this City's minority community. I'm a little perplexed at how that can be done. I'm a little perplexed at who these black community leaders are that are going to sign this agreement. I'm a little perplexed about its legal enforceability and also I'm a little perplexed because the minority business enterprise review committee has the legal authority in this City relative to, along with Council and the Mayor, committing this City to any kind of conditions under which we will accept HUD monies. So, maybe Mr. Pellegrini on Wednesday can help clarify this situation.

Mr. Robinson moved to excuse Mrs. Masloff for absence from the meeting.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Woods moved to approve the Minutes of Thursday, September 6, 1984.

Mr. Givens seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Grabowski**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, October 1, 1984 No. 38

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, October 1, 1984

PRESENT:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

ABSENT:

Mr. O'Malley

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Michelle Madoff:

Would Mr. Gaetano, Rege Recker and John Marotta please step forward? Is our cameraman here? I want to get this one in Council with Mr. Stone present. We always get them outside the door.

Very seriously everybody, this is really a great pleasure for me. As you know, my background is energy and environment and since it's no secret that I've just started a very small consulting firm dealing in energy and environment, it will be about ten hours a month and I can do it from here and weekends, I have a special interest in energy and I would like to read the following resolution which I think is very self explanatory.

Michelle Madoff presents

Bill No. 1491 WHEREAS, each year throughout the country, National Energy Watch Awards are presented to those who extend efforts toward the conservation of energy; and

WHEREAS, one of this year's area awards, sponsored by Duquesne Light Company, has been given to the City of Pittsburgh Department of Public Works, for their energy conservation efforts at the Brilliant Asphalt Plant; and

WHEREAS, it has been determined that the installation of capacitors at the Plant has decreased the average kilowatt demand by 25 percent, and resulted in thousands of dollars in savings to the City of Pittsburgh; and

WHEREAS, this award marks the first time the Public Works Department has been honored in this manner.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City Council hereby recognize and commend the Department of Public Works and Director Louis Gaetano, Rege Recker, Superintendent of the Street Lighting Division, and John Marotta of the Asphalt Division for energy conservation efforts at the Brilliant Asphalt Plant, which has merited the 1984 National Energy Watch Award and brought honor and prestige to the City of Pittsburgh.

Michelle Madoff moved to adopt the resolution.

Mr. Woods seconded the motion.

Which motion prevailed.

Michelle Madoff:

I understand from Mr. Gaetano that no one does anything alone. I've often said that no one accomplishes anything without the help of friends and other colleagues. There are two other people that we'd like to honor; that's Rege Recker and John Marotta.

Lou, would you like to say something? And perhaps the other two gentlemen would as well.

Director Gaetano:

I accept this in honor of all the people from the Department of Public Works that worked with this particular project. We did join the National Energy Watch Program that was sponsored by Duquesne Light.

Thanks to Mr. Recker who handled all the electricity and the lighting here in the City for me and Mr. Marotta who ran the asphalt plant. I know we have saved the City of Pittsburgh right now an average of anywhere from $9,000 to $13,000 a year by putting in these capacitors. Again, I thank you all for the award. Thank you.

Mr. Wagner presents

Bill No. 1492 WHEREAS, in November of this year, the United States Government will award a $103 million dollar contract to coordinate and evaluate computer programs for the Defense Department; and

WHEREAS, Carnegie Mellon University of Pittsburgh, which has established a national reputation in computer research, is among the leading contenders for the program; and

WHEREAS, in addition to the honor and prestige this award would bring to the City of Pittsburgh, the contract would bring 250 high-level jobs and attract spinoff companies in the emerging software field; and;

WHEREAS, federal, state, and local public officals, along with colleges, corporations, and business and industry leaders, have voiced strong support for this project, and have offered to assist the University in their campaign to win this contract.

NOW THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City Council, hereby extend full cooperation and support to Carnegie Mellon University in their campaign for receipt of the $103 million dollar computer contract from the Defense Department, which would bring not only honor and

prestige, but also the promise of new businesses, new jobs, and economic growth to the City of Pittsburgh.

BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to the President of the United States, the U.S. Secretary of Defense, and Dr. Richard DeLauer, defense undersecretary in charge of research, to draw their attention to this Council's spirit of cooperation and support for this facility.

Mr. Wagner moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Wagner:

Mr. President and members of Council, I'd just like to make a comment. This potential contract to the City of Pittsburgh is extremely important to the future of this City in terms of the potential for computer technology in the City of Pittsburgh. As our City Clerk indicated, it could mean in excess of 250 jobs to the University, to Carnegie Mellon University, it could mean in excess of $100 million coming to the City federal funds and tremendous potential spin-offs. I think it's important that this City, through this resolution, let all the appropriate people in the federal government know that we are behind this 100 percent.

The Chair:

Mr. Wagner, I'd just like to add one point. I think that in great measure a great deal of credit goes to the President of Carnegie Mellon, Mr. Cyert. I know of no individual heading a university that has as much talent and ability as that man does and the school that they have for computer science in Carnegie Mellon, in my opinion, supplies many of the people who are now on US 1 and Cilicon Valley. Much of that talent is from Pittsburgh and I'm honored to find that we're having that here within the City of Pittsburgh.

Likewise, I think a debt of gratitude is due as well to our governmental officials from the Senate who were instrumental in helping this thing along.

Mr. Wagner:

The key is now to get it, to get the contract and if the City Clerk would please forward that to those three people and also a copy to Dr. Cyert.

The Chair:

I'm honored that they found the talent here.

Mr. Givens:

I'd just like to make one comment, Jack. You remember the legislation that we had before us, I think it was last week, Lou Gaetano brought up exactly your resolution that this little bridge interconnect the two buildings was so designed for easement between this new computer center that was going to be set up and the other thing and as I indicated, as I've seen once before and one of the maps of the United States where all the computer major companies are located, and you see many of them down in Texas and out in California, a few in Florida and up along the New England coast and there was nothing around the Pittsburgh area. This will now hopefully put a little star beside the City of Pittsburgh and one that will start opening the eyes of this computer industry and what's out there for not only this country but for the hard working ethnic people in this City, may they be a steelworker, they

can also be a mighty good computer worker too.

Mr. Givens presented

No. 1458 Resolution amending the 1984 Capital Budget to increase authorization for the City Wide Resurfacing Program and establishing the Asphalt Reimbursement Trust Fund Transfer.

Also,

No. 1459 Resolution granting unto McDonalds Corporation their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an Encroachment on a portion of the sidewalks of Maolis Way and North Lincoln Avenue in the 21st Ward of the City of Pittsburgh.

Also,

No. 1460 Resolution granting unto the Redwood Inn, 2898 Banksville Road, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Sigh Post in a portion of the right-of-way of 2898 Banksville Road, in the 20th Ward of the City of Pittsburgh.

Also,

No. 1461 Resolution granting unto Cappy & Company, Inc., their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Sign Encroachment over a portion of the sidewalk of 323 Boulevard of the Allies in the 1st Ward of the City of Pittsburgh.

Also,

No. 1462 Resolution granting unto Union National Bank, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, underground vaults in a portion of the sidewalk at 312 Fourth Avenue, in the 1st Ward of the City of Pittsburgh.

Also,

No. 1463 Communication from Louise R. Gaetano, Director, Dept. of Public Works, requesting authorization for Lawrence Staab and James Lenkner to attend the 1984 Video Expo Seminars and Exhibits in New York City, October 1-3, 1984, at a cost not to exceed $1,250.00, payable from Community Communications Trust Fund (CC) Bureau of Cable Communications, Dept. of Public Works. Prior approval granted by Council September 12, 1984.

Which were severally read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 1464 Resolution providing for the Issuance of a warrant in favor of Service Supply Company in the amount of $1,536.60 for the purchase of hardware for the City garages, chargeable to and payable from Code Account 1148, Index Code 114801, Automotive Parts, Dept. of General Services.

Which was read and referred to the Committee on Finance.

Also,

No. 1465 Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the purchase and delivery of Pressure Steam Cleaner for the Dept. of General Services, at a cost not to exceed $7,500.00, chargeable to and payable from Code Account No. 4-30-01-0001-83,

Index Code 370106, Misc. Equipment, Various City Departments, Dept. of General Services, SD 83-01.

Which was read and referred to the Committee on General Services.

Michelle Madoff presented

No. 1466 An Ordinance amending and supplementing the Pittsburgh Code, Title Seven - Business Licensing, Article VII, Service Business, Chapter 763, Parking Lots, by amending the safety requirements for the licensing and operation of open and enclosed lots. — **(SPONSORED BY MICHELLE MADOFF)**

Which was read and referred to the Committee on Public Safety.

Mrs. Masloff for Mr. O'Malley presented

No. 1467 Resolution providing for the issuance of a warrant in favor of the International Business Machines Corp., in the amount of $1,866.00 in payment for rental of equipment for July, August, and September 1984, chargeable to and payable from Code Account No. 1447, Misc. Services, Dept. of Police.

Which was read and referred to the Committee on Finance.

Mr. Robinson presented

No. 1468 Resolution providing for an Agreement with Warner Cable Corporation of Pittsburgh and Warner-Amex Cable Communications, Inc., relieving them of certain rights and responsibilities in a cable television franchise.
—(SPONSORED BY MR. ROBINSON)

Also,

No. 1469 Resolution providing for the transfer of the cable television franchise from Warner Cable Corporation of Pittsburgh, under the terms and conditions approved by Ordinance or Resolution, by City Council and the Mayor, and for the extension of the Mayor, and for the extension of the term of franchise.
—(SPONSORED BY MR. ROBINSON)

Which were read and referred to the Committee on Public Works.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 1470 Resolution approving a Conditional Use under Section 993.01(a)A-10) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, as amended, for occupancy of 1246-48 BRIGHTON ROAD as an Institutional Facility for 25 adult males in a pre-release program operated by the Pennsylvania State Bureau of Corrections, 22nd. Ward.

Also,

No. 1471 Resolution approving a Conditional Use under Section 993.01(a)A-33 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, for construction of an 8 story, 56 unit housing for the elderly facility with parking for 13 automobiles on property located on SWEETBRIAR STREET and PLYMOUTH STREET, 19th Ward.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 1472 Resolution providing for the issuance of a warrant in favor of Trumbull Corporation, in the amount of $552.98, in payment for extra work, being in addition to the original contract price of $4,083,511.40 on Controller's Contract no. 26925, Reconstruction of Grant Street, Phase I, payable from the Grant Street Trust Fund. Prior approval granted by Council September 6, 1984.

Also,

No. 1473 Resolution providing for the issuance of a warrant in favor of Karkadoulias Bronze Art, in the amount of $8,000.00 in payment of an Emergency Contract to restore a World War I Monument at Herron Hill Park, chargeable to and payable from Code Account LB 84-13, 4-13-95-2030-84, Index Code #352856, Renovations of Various Park Facilities. Prior approval granted by Council July 26, 1984.

Also,

No. 1474 Resolution authorizing the transfer of funds from time to time from the Asphalt Reimbursement Trust Fund Transfer Account.

Which were severally read and referred to the Committee on Finance.

Mr. Woods presented

No. 1475 Resolution transferring $225,000.00 from Code Account 45, Index Code 004507, Health Insurance, Municipal Employees, Dept. of Finance to Code Account 30, Index Code 003004, Refunds-All Other Taxes, Dept. of Finance. This resolution is necessary so that enough funds are available to process taxpayers' refunds for the balance of the year.

Which was read and referred to the Committee on Finance.

Mr. Woods moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Michelle Madoff:

Excuse me, Mr. Woods. Is there a reason why you want it moved up quickly? The reason I'm asking is that you and I had a discussion about so many things that we don't realize when we waive Rule 8 it just impacts on the supplementary agenda.

Mr. Woods:

This is a small agenda this Wednesday and this is the only one we'll have on the supplement.

Michelle Madoff:

It's important and you want it through? Okay.

Also,

No. 1476 Resolution providing for the issuance of a $1,250.00 warrant in favor of Vincent & Linda DeCarlo for sidewalk damage by City tree roots, payable from Code Account No. 46, Judgments.

Michelle Madoff:

How much is the amount?

Mr. Perry:

One thousand two hundred and fifty dollars.

Michelle Madoff:

Did they have an attorney?

Mr. Perry:

I don't know.

Michelle Madoff:

Mr. President, the reason I'm asking the question is that we had an issue before us, some people by the name of Simmons who had come to me who were told by the City to go ahead, did not have an attorney, were never reimbursed, were told to go ahead, and they never got reimbursed for a tree uprooting their sidewalks. I'm curious to know whether there's an attorney involved in this.

The Chair:

I don't know but it will have to come up on Wednesday a week and at that time we can discuss it.

Also,

No. 1477 Resolution providing for the issuance of a $1,275.95 warrant in favor of Clarence Jones for damages to his Suzuki motorcycle by City Police, payable from Code Account No. 46, Judgments.

Also,

No. 1478 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in various wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County Block and Lot Numbers mentioned therein.

Also,

No. 1479 Resolution repealing Item H of Res. No. 418, appr. 6-1-84, for the sale of a house at 7019 Kelly Street, 13th Ward, Block and Lot 125-M-167, to Frances Halley, for the sum of $5,000.00. Resolution is to repeal the sale and return the hand money of the purchaser.

Also,

No. 1480 Resolution amending Item E of Res. No. 674, appr. 8-13-84, for the sale of a 2 Sty. warehouse at 7424 Tioga Street, 13th Ward, Block and Lot 175-B-104 to Jessie and Ruby Holly, for the sum of $12,000.00. Amendment is to change the plan lot numbers from 68-69 to 67-68-69.

Also,

No. 1481 Resolution amending Item F of Res. No. 418 appr. 6-1-84, for the sale of vacant land in the 5th Ward on Ridgeway Street, Block and Lot 26-K-119-120-123-126 to Paul W. Kershaw, for the sum of $1,000.00. Amendment is to correct errors in the description of parcel 26-K-123.

Also,

No. 1482 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended.

Also,

No. 1483 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, requesting authorization for David M. Matter to attend the 1984 Fall meeting of the Urban Land Institute in Boston, Massachusetts, October 17-21, 1984, at a cost not to exceed $1,500.00, payable from Code Account No. 1017, Misc. Services, Dept. of the Mayor.

Which were severally read and referred to the Committee on Finance.

UNFINISHED BUSINESS

The Chair presents

Bill No. 1221 Resolution approving the appointment of Carrie Washington of 7145 Hermitage Street, Pittsburgh, PA 15208 to the Sinking Fund Commission for a term to expire March, 1989.

Which was read.

Mr. Woods moved to approve the appointment.

Mr. Robinson seconded the motion.

Which motion prevailed.

The Chair presents

Bill No. 1484 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, returning with his veto of Council Bill No. 1312, entitled, "Resolution providing for the City Controller to enter into a contract or contracts with Peat, Marwick, Mitchell & Company for software and software implementation of a Fixed Asset and Control System, cost not to exceed $100,000.00, chargeable to and payable from Code Account C.F.M.I.S., Controller's Financial Management Information System."

(MAYOR'S VETO LETTER - BILL NO. 1312)

September 27, 1984

President and Members
City Council

Dear President and Members:

This Administration has reviewed and considered Council Bill 1312 passed on Monday, September 17, 1984, and concluded that it is in the City's best interest to defer this project at this time. I am therefore vetoing this legislation and request your support in this action.

The City recognizes the need for a fixed asset accounting and control system and its potential benefits. However, we do not feel that the Controller's Office is currently ready to undertake such a major project because of the lack of qualified staff in this area and its preoccupation with the problems associated with the implementation of a new accounting system.

As you may know, the Controller's office is currently attempting to implement the FAMIS general ledger and accounts payable system. This project, in itself, is a major undertaking requiring the full commitment of the Controller's professional staff. The Controller's ongoing efforts to debug and implement this accounting system require and deserve the full dedication of his staff at this time, particularly because of the start-up problems the Controller has encountered with the new system. To attempt an additional major project while in the midst of this implementation would jeopardize the projects' success and possibly thus wasting $100,000.00 of taxpayers' money.

Once again, let me reiterate that

this Administration is anxious to work with the Controller's Office to implement a fixed asset accounting and control system. However, until such time as the Controller's Office successfully completes its current undertakings and enhances its staff capability in the area of fixed asset accounting, this Administration cannot support this legislation. It is our belief that the expenditure of up to $100,000.00 of City funds at this time to undertake this project is not well advised. We hope that Council will support us in this judgement.

Please feel free to contact this office should you have any questions or comments concerning this matter.

Very truly yours,

Richard S. Caliguiri

/aml

(END OF MAYOR'S VETO LETTER - BILL NO. 1312)

Which was read, received and filed.

Bill No. 1312 Resolution providing for the City Controller to enter into a contract or contracts with Peat, Marwick, Mitchell & Company for software and software implementation of a Fixed Asset and Control System, cost not to exceed $100,000.00, chargeable to and payable from Code Account, C.F.M.I.S., Controller's Financial Management Information System.

Which was read.

The Chair:

As I understand, the Mayor has vetoed this bill. If it's not overridden it would then remain vetoed. So, if there's any actions —

Michelle Madoff:

Discussion. All of us received a communication from Tom Flaherty, our Controller, our former colleague, and I think rather than reading the letter into the Record I would like permission from my colleagues to ask Mr. Flaherty to refute what he has told us with reference to what the Mayor is saying in his override. It appears that there may be some confusion that Mr. Flaherty could clear up for us and it would clarify our thinking on our vote. May I call on Mr. Flaherty, please?

Mr. Woods:

I object, Mr. President.

Michelle Madoff:

I was afraid that would happen so you leave me no choice. May I read the letter into the Record, please?

This is not my letter; this is Mr. Tom Flaherty's letter.

"October 1, 1984

Dear Honorable President and Council Members:

I urge your continued support of Council Bill 1312 which Council unanimously passed September 27th.

The Mayor in his September 27th veto made inaccurate points concerning the Controller's explicit charter mandate to annually audit the City inventory.

Before addressing these misstatements, it is of the greatest importance that the Mayor not dictate policy which is strictly domain of the Controller's Office. I am confident that you would not give the Mayor a free hand in dealing with Council's control policy

on personnel issues.

May I further stress the Mayor never spoke with neither I nor any Controller's personnel this year about the Controller's Office current ability and desire to implement the City's Inventory Control System.

The Controller's Office has a qualified staff to implement a fixed asset and accounting system. The following professional staff members are assigned:

> Fixed Asset Coordinator; a manager to oversee the project
> Senior Systems Analyst; to handle all data processing procedures
> Accountant 3; to coordinate the accounting functions
> Inspectors and Auditors; to do the field work

The commitment to FAMIS general ledger and accounts payable system will not be hindered by engaging in the contract for a fixed asset system. The debugging of FAMIS should be completed before the software of fixed assets would be ready to install.

Any delay in instituting a fixed asset system would further exacerbate the City's problem with Moody's and Standards and Poor. The City has not had an inventory since 1940. This leads auditors to continue to give the City only a qualified opinion. This qualification would be removed if we had a fixed asset system based on generally accepted accounting principles.

Beyond rebutting the Mayor's hollow criticisms, it is important to make public what his statements really masquerade.

The real issue is Sam Tiglio, a person of impeccable 34 years service with the County of Allegheny. Mr. Tiglio was the deputy director of maintenance for the last 8 years, and supervised this County's second largest department work force, of 780 people and $21 million budget.

Mr. Tiglio, who took a $6,000 pay cut to come with the City along with numerous verbal abuses and public humiliations from the Mayor's Office, is a qualified public administrator. I as Controller need Mr. Tiglio, a motivator of people and an established manager.

Peat, Marwick will fill the need for accounting and certain expertise.

This brings us to the final point. You cannot separate Mr. Tiglio from this legislation, which is funded solely with earmarked Controller's funds. Peat, Marwick's assistance is needed now, without further delay; otherwise, the position of Fixed Assets Coordinator would be greatly impaired. This would be unfair to the City and the taxpayers.

I would greatly appreciate the courtesy to address Council today and answer any questions concerning this vital issue.

Sincerely,

Tom Flaherty"

Mr. Woods, your objection to hearing from Mr. Flaherty forced me to read this letter into the Record. I really think we should start, and we promised each other that we would not deal in personalities. I was trying to avoid that. I again ask my colleagues, should we not indulge in personalities and can we ask Mr. Flaherty to please address the controversy between why the Mayor is overriding the issue —

The Chair:

If the Chair understood you correctly, you said since there was an objection you're reading the letter. We now have the letter so what I need now is a motion or else it stays.

Michelle Madoff:

My motion is to now please hear from Mr. Flaherty. Would someone second that?

The Chair:

I have an objection, Michelle.

Michelle Madoff:

I understand that. Would the objector withdraw his objection?

Mr. Woods:

No.

Michelle Madoff:

Thank you.

Mr. Givens:

Excuse me, Mr. President, I have to have a ruling from the Parliamentarian. All directors and chiefs of the various branches of government can be heard without any objection from this Council as far as I know of. Otherwise, the Mayor, if he wants to speak before this body, no one can challenge him.

The Chair:

If there's an objection the answer is no.

Michelle Madoff:

Do you mean the Mayor could be —

Parliamentarian:

It's up to City Council.

Mr. Givens:

It's up to City Council to do what?

Parliamentarian:

Whether or not to permit a director to speak at this meeting.

Mr. Givens:

Thank you. I just wanted a ruling.

Michelle Madoff:

Point of clarification to the Parliamentarian, please. If the Mayor wished to address this Council and one person objected, would that stop the Mayor from being able to address this Council?

Parliamentarian:

It would take a two-thirds vote.

Michelle Madoff:

For the Mayor but not a two-thirds vote on a department head?

Parliamentarian:

It would apply to everyone.

Michelle Madoff:

So now we can have a motion to override the objection and have a two-thirds vote. May I do that? Is that correct parliamentarian procedure? I'm

sorry, I don't understand you.

Parliamentarian:

Mr. Woods has made an objection. In order to override that you have to have a two-thirds vote.

Michelle Madoff:

I just said, can I make a motion to override the objection? I make a motion to override the objection of Mr. Woods to hearing from Mr. Flaherty.

Mr. Woods:

If I may, Mr. President, Council rules indicate, I believe, that any one member objecting to anybody appearing before Council, that's it. It's just like two weeks ago Mr. Grabowski made the same objection and in past history, past practice of this Council it's been that way. That supersedes anything.

The Chair:

That's the Chair's understanding of the past. Are you familiar with our rules?

Michelle Madoff:

Excuse me, I had the floor. In 1975, the ballot said vote for five, whether it was for Council, or vote for ten if it was judges. I went to court saying that that was not accurate and that law was changed to say vote for up to or no more than. In cross examination when the person who is head of the Election Board was asked why he said vote for five when it was inaccurate, he said because it's always been done that way and the judge said that is not correct.

Because something has always been done incorrectly does not make it correct. The Parliamentarian perhaps for the first time, is going to ask for clarification and he is saying that even though the rules of Council say that someone, as I understand him to be saying, that even though somebody may object, by a three-quarter vote we could override that objection.

The Chair:

Michelle, I just asked him the question if he was familiar with Council's rules. He indicated he was not.

Michelle Madoff:

Well then let us wait until he gets familiar. It will not take long.

Parliamentarian:

I am not familiar with the specific rule that Mr. Stone is speaking of.

Michelle Madoff:

Then I think that's unfair because I think that perhaps if the Parliamentarian ruling was that even though we've done it incorrectly in the past we should correct an incorrect procedure and we could then vote to let Mr. Flaherty speak.

The Chair:

The only problem is as I see it, that's been a rule and I would not say it was incorrect. That's a rule that was voted in.

Michelle Madoff:

But it might be an illegal rule.

The Chair:

Council determines its own course of conduct and they voted that way,

Michelle.

Michelle Madoff:

Does that mean if the Mayor came here and wanted to speak and one person said no the Mayor couldn't speak?

The Chair:

I would think so.

Michelle Madoff:

May we have that for the Record and may I have a copy of that in print? Would we get copies to everyone saying that if the Mayor wishes to address this Council and there's one objection, the Mayor will not be able to do that.

I think that would be a terrible thing for any member of Council to do. I would never do it.

The Chair:

That's the status of the rule of conduct —

Michelle Madoff:

I think that's wrong and I think we ought to change it here and now. And I think this Council is a responsible elected body of the public and we ought to have a motion to override that rule and override the rules of Council first of all.

The Chair:

First of all, I don't have anything on the table at this point. And if I don't soon get a motion to override the Mayor's veto then the veto will stay as is.

Michelle Madoff:

I think we're before that, Mr. President, with due respect.

The Chair:

I need a motion to determine where we're going.

Michelle Madoff:

Mr. President, we have two options. Since there is a motion on the floor and since the Parliamentarian is not familiar and cannot give us a ruling —

The Chair:

There is no motion on the floor.

Michelle Madoff:

There's a motion on the floor by Mr. Woods saying no, he objects. That causes us not to allow Mr. Flaherty to come forward. Is that correct? I'm asking whether I can make a motion from Council to amend Council rules, rules of Council, to permit an override by a three-quarter vote.

The Chair:

The only problem I have again, I have the Mayor's veto which is before us. I don't have any motion at this point —

Michelle Madoff:

I am making a motion to amend the City's rules of Council to allow a three-quarter vote to override any one objection by a member of this Council. A two-third vote.

The Chair:

Change of Council rules, as I understand it, needs two readings.

Michelle Madoff:

Well, this will be the first time and we'll do it again because I want to be sure that this never happens again. I think the people are being cheated, they are not being informed, we are not letting the people know what's going on and that's a disgrace.

I again would ask for a five minute recess so the Parliamentarian can give us a ruling because there's no point in addressing the veto and starting a war when, by Mr. Flaherty addressing the issue, we may solve this peacefully.

The Chair:

But you indicated that since there was an objection you would read the letter. Now you've read the letter and it seems to me you took your alternative. You should have done it before —

Michelle Madoff:

Well, I'm again asking that Mr. Flaherty be allowed to speak. I have that prerogative. Since I can't amend the rules of Council without two readings —

The Chair:

My problem still is, I don't have a motion as to what action we're going to take relative to the Mayor's —

Michelle Madoff:

I'd like to take a five minute recess. Could you find out in five minutes whether we can override — He said he could. May I have a five minute recess so the Parliamentarian can give us a ruling?

Mr. Givens seconded the motion.

Mr. Grabowski:

Is that debatable, Mr. President?

Michelle Madoff:

When Mr. Woods asks for a recess and storms out of the room he's never been denied a recess. I'm asking for a five minute recess. I'm female. I have female genitalia, not male genitalia. I hope you would give me that courtesy.

The Chair:

We'll recess for five minutes. Stay here.

And on the motion of **Michelle Madoff**

Council recessed.

And the time of recess having expired, Council reconvened and there were present:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

ABSENT:

Mr. O'Malley

The Chair:

The Parliamentarian has just given me the rules. Apparently he didn't finish his explanation. Rule 12 says as follows: "No rule of the Council shall be amended or changed except by a two-thirds vote of the members elected

thereto and after one weeks previous notice to members of Council in writing of such change desired to be effective."

Michelle Madoff:

Then what do we do, postpone the veto until we have the time to have —

The Chair:

You can't postpone the veto. You have to act today and that's it.

Michelle Madoff:

Then what is the proper procedure to amend — to do this? You mean any time we have a veto we're going to be pre-empted by a veto because we don't have enough time to have the week elapse?

The Chair:

If you want to change the rules there's rules for changing the rules. That hasn't been followed at this point so we now faced with taking some action on the veto itself.

Michelle Madoff:

Mr. President, if I understood you correctly by what you just read, anytime, and I'd like the Parliamentarian to see if I understand it correctly, anytime there's a veto we need a week? Is that correct?

The Chair:

What do you mean by that?

Parliamentarian:

To make a rule change.

Michelle Madoff:

Then we won't have to wait a week.

The Chair:

Unless you change —

Michelle Madoff:

I don't mean on today's bill. On any other bill in the future. We'd still have to wait a week? Did you hear that? He just said yes.

The Chair:

You're talking two different things. In order to change the rules, you must give one week's notice and have two-third's vote. Relative to the veto, it has nothing to do with it. Unless the rules are changed, the rules in effect apply for any issue that comes before this body.

Michelle Madoff:

Alright then let me understand so that the Parliamentarian understands what I'm saying. Once we amend this oversight in the rules of Council, when another veto comes before us we can then, if somebody objects to having — or not even a veto, any item — if anybody objects to having someone speak, two-thirds can override once we amend the rules of Council. Is that correct?

Parliamentarian:

What the rules that Mr. Stone is referring to mean is that in order to change a rule of Council you need a two-thirds vote and also a week's notice.

Michelle Madoff:

Fine. But once it is changed, then I won't have this problem again.

The Chair:

Once it changes, it changes to what you change it to.

Michelle Madoff:

Thank you. I just wanted to be sure that I understood it because if I don't understand it the public doesn't understand it. I believe that's what we owe the public and that's why they elected me. Thank you.

Mr. Givens:

Mr. President, if I might make one comment on this. I think government is not all so nailed down in plaster and concrete that we can't be in some cases a little bit more objectionable and in other cases be able to move with the tide. I think we must be able to do that. Yes, the City Council's rules say that we want one week's time but to the person who made the motion to restrict another elected official from this City, whether it's County or State, from coming in here and talking to another official body, I find that startling to me in that it curbs the freedom of thought that one must project openly to the public on their feelings and emotions. Yes, there was a letter read into the Record in regards to how Mr. Flaherty felt. Yes, there was a letter that was received by all Councilmen in regards to the City of Pittsburgh by the Mayor of the City and how he feels on this particular matter. However, I feel when a public official comes before this body that the rules of Council as I have interpreted over the past nine years were that in this particular meeting was the executive meeting and it was for Council's discussion only. When we have a veto and an override I would even say that the Mayor should be present to explain further other than maybe just a letter to argue on his own behalf. But the fact that he has not come in to hear, he can be invited if he so chooses to come to this Chamber and talk before us.

It's a very serious thing before us and I'll deliberate that when we get into the actual thing itself but I would ask the offer of that motion to rescind it so the elected official, any elected official, can come before this body at any time. If I can walk into the Mayor's Office when I pick up that telephone and say, "Mayor, can I see you in a reasonable period of time?", and the Mayor, all the Mayors that I have served under in the City of Pittsburgh, or served with, have never refused me an audience with them nor has any time with the Controller of the City of Pittsburgh when I asked to see the old Controller as I would the future Controller, I don't think he would deny a public official to have access to his office, likewise, I think that that individual should have access to this Council right here and be able to say in his own words how he feels on this particular bill and we can then discuss among ourselves after that's over with, not debate with the Controller but have the Controller make his statement and then this Council deliberate among ourselves to make that final decision.

I ask that in all consciousness and fairness.

The Chair:

Do I have a motion? We'll move to the next subject.

Mr. Givens:

I asked that the Council motion not to hear be rescinded and I would like to hear —

The Chair:

Dick, we have the rules which say

you can't do it that way.

Mr. Givens:

I'm asking the person who asked that. He has the right to object and I'm asking him to rescind his objection. Will you rescind your objections, Mr. Woods?

Mr. Woods:

No, I will not.

Mr. Givens:

Thank you and let that be in the Record for many years to come.

Michelle Madoff:

I move to override the Mayor's veto.

Mr. Robinson seconded the motion.

The Chair:

Take the roll.

Michelle Madoff:

We're not going to have discussion?

The Chair:

Go ahead. Discussion.

Mr. Givens:

The discussion was alluded to but nothing was in the Controller's letter other than saying his duties and his responsibilities on the Fixed Asset Coordinator and that of the Mayor saying that it was untimely that the Controller does not have the wherewithal to do the jobs and not in his letter to us but in editorials and letters in the media so criticized an individual who worked down there.

Let me read to you the Charter of the City of Pittsburgh so we least forget what we're supposed to be here for. It was adopted in 1975. Let's say that in that report that was submitted by the Controller of the City of Pittsburgh there hasn't been an audit performed in this City since 1940. All of us should be ashamed of that.

Let me say that the Controller of the City of Pittsburgh is the only elected official that can be held financially liable for the City's undertaking. He's the only elected official. You and I and any other elected official in this room, including the Mayor, is not held under that law of the state of Pennsylvania but the Controller is. In this Charter, the City Charter, adopted in 1975 by a majority vote of the people of the City of Pittsburgh, under Article 4, the Controller, under Section 404, the powers and duties of the Controller, Section 404 E reads: "To conduct at least once each year an audit of the annual inventory required by this Charter and submit a verified report of the audit to Council and the Mayor." The fact that the Mayor has been in and previous Mayors have been in since 1940 and has not done this to me is most disturbing. The fact that this must be done and will be turned over and to think that this out there alone there's over 8,000 pieces of land that the City owns that we're just now beginning to formulate and to put into one package. None of them have been evaluated as far as what the prices are and that can be increased each year automatically as the value of the prices in that particular neighborhood dries up.

The other thing, and that is the bond rating of the City of Pittsburgh. If we have fixed assets then that's like money in the bank. We want to do this and do this as quickly as we can. I say if

the Mayor wants to override the veto because he feels that the Controller isn't ready to go then where has he been for the last seven or eight years? If the Controller feels that he can assume this responsibility and do it in a reasonable length of time, that will then increase our bond rating thus reducing the debt service or the interest rate that we have to pay on the bonds that we sell to the City of Pittsburgh.

Those major points I'd like to bring out as to why I am in favor of this and not to get into any of the personalities between the people. With one exception; the person that's going to coordinate this, Mr. Sam Tiglio who is a very personal friend of mine, he's worked those 30 years for government, I have seen him in action and I think he is qualified and adaptable to any job that any government can have and he has proven that fact. I would like to say that publicly and I'll say no more. Thank you.

Michelle Madoff:

Mr. President, you and I have had our disagreements and we've really had some run down battles. I don't think you're my favorite person; I think you know that. And I don't think I'm your favorite person. But I think that you're very bright, you've done a very good job as President of this Council, and I think as a leader you of all people would not want to stifle free speech and do anything to stop meaningful dialogue in this Council. I realize that you're hampered by the former rules of Council which I believe you will help to amend but I would ask you as President of Council to ask Mr. Woods to withdraw —

The Chair:

We're passed that. You made a motion and we had a second. The motion is to override so let's deal with that issue.

Michelle Madoff:

I realize that but I'm just pointing that out as part of my statement. I think that if anybody has gone out to buy any furniture recently as I have, I moved out of my home of 15 years, I could not believe what the price of items have gone to. I'm flabergasted, I'm shocked. Items that used to buy for $200 are $1,000. Things you used to buy for $50 are $600. I think there's no question in my mind that Councilman Givens' point that our fixed assets would be worth a great deal more and would help to establish a base of financial stability in a city that has a $1 billion plus debt and facing a problem with its upcoming budget would not want to proceed as quickly as possible with this audit.

I want to mention that I spoke to Mr. Hayllar in the hall and wanted to see what the Mayor's point of view was. He said that it was not in his domain, that it was in Mr. Schmeiser's domain. I asked to have Mr. Schmeiser here today. Is Mr. Schmeiser with us? He is not. I thinkk when we amend the Charter we ought to, and it is already the rules of Council, Mr. Woods, this Council voted almost unanimously that any business before Council we would have a representative of the Mayor's Office.

The Chair:

Michelle, excuse me. The motion presently —

Michelle Madoff:

I'm addressing the motion. I'm addressing the fact that there's nobody here from the Mayor's Office to hear what we're saying.

The Chair:

Let me remind you where we are by virtue of your own motion. Your motion is to override —

Michelle Madoff:

We're also discussing it.

The Chair:

We are not talking presently about rules of Council. The only motion is whether we do or do not overrule the Mayor's veto.

Michelle Madoff:

I think it would be very helpful if somebody were here from the Mayor's Office and it engaged in dialogue. But since they opted not to do that, since there are two separate letters, one saying from the Mayor when he wants to veto it, that the Controller cannot do the job because he's not ready nor equipped and knowing that it takes time to order the equipment, I will vote to override the Mayor's veto.

Mr. Wagner:

Mr. President, I have a question and then a comment. The question is, the vote, an aye or a nay, what does that mean in regard to Bill 1312 and the veto?

The Chair:

The motion has been made to override the Mayor's veto. That would need six votes.

Michelle Madoff:

Voting aye or nay?

The Chair:

Voting aye.

Mr. Wagner:

We would need six ayes to override that veto?

The Chair:

Correct.

Mr. Wagner:

Alright. That leads me to my comment. I would hope, Mr. President and members of Council, that in regard to this bill and this overriding or not overriding of the veto, that Council would be concerned primarily with the bill, Bill No. 1312. Let's keep out of our minds who is the Mayor of the City, who is the Controller, who is the individual that may possibly be working because of the computer system or the software that this bill pertains to. The important point here is simply whether or not this bill better serves the taxpayers of the City of Pittsburgh. That is the important element. That and nothing else. I personally think that yes, we do need to know what our fixed assets are. Yes, we are a little bit behind the times. Yes, it would be important to each and every one of us in chairing our various committees to know in our committees, for instance, my committee, Engineering and Construction, what various properties in the City of Pittsburgh fall under that committee. That could help me better understand engineering and construction and I'm sure all of us. I think there's a need for us to know that; I think there's a need for it to be accessible, not only to the Mayor, to the Controller, to all members of Council, but anyone that is a taxpayer in the City of Pittsburgh.

The only thing I am asking here is for us to deal specifically with the bill, the merits of the bill, and how it can better serve the City of Pittsburgh.

The Chair:

Call the roll. There's a motion to override the Mayor's veto. If you care to override the Mayor's veto, vote yes.

Mr. Givens:

I vote aye in consideration of Bill 1312 and the Mayor's veto of Council's unanimous decision in December. We passed this bill a couple of weeks ago unanimously with discussion at Council's table. My concern is with the integrity of the distinct branches of our municipal government. Article 4, Section 404 E of the Pittsburgh Home Rule Charter specifically assigns the Controller to do these and the power to conduct the audit of the annual inventory. The language of the Charter is clear and the principle is most important. If the Controller as an independent elected official judges that he needs the administrative improvements, it is not our business to tell him how to run his business. Therefore, I vote to override.

Mr. Robinson:

Mr. President and members of Council, I think that Councilman Wagner's comments were most appropriate and I support his position 100 percent in this matter. I vote aye.

The Chair:

The issue has already been determined relative to this matter. There is not six votes. The Chair exercises what has been attempted here by comments and offers some advice. It's been indicated that there should be an accounting system; the Mayor has indicated on page two of his letter that the Administration is anxious to work with the Controller's Office to implement the Fixed Asset Accounting and Control System. I would hope that the Controller, and we'll leave names out of it as has been indicated, would likewise be anxious to work with the Mayor's Office to implement a Fixed Asset Accounting and Control System.

I would like also to separate two issues. One is the bill and one is the personality, a person in the office. I do not see them as being connected. I would hope that at this moment that we give a message to all of the parties that it is time to work together on behalf of the City rather than to engage at this time, when we're going through the fiscal constraints of the '80's, to have the kind of situation as we have it now where one branch is disagreeing with the other branch. That does not mean that there should not be an audit; that does not mean that one should not have the ability to speak. But at the same time I don't think that it should be brought to this Council for us to resolve an issue if at all possible. If not, this Council may be called upon to make decisions and we'll make them and we just want to tell everyone in advance that we hope there sets back into motion from this day forth another day of cooperation which I think is so essential during these fiscal constraints of the '80's.

In view of that, I abstain.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Wagner

AYES 4 NOES 2

(MR. GRABOWSKI AND MR. WOODS VOTING NO)

(MRS. MASLOFF AND MR. STONE ABSTAINING)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Mr. Givens:

In the City on July 10, 1984, Committee of Finance, there was a bill that was introduced, Bill No. 976, a resolution providing for the issuance of a warrant in favor of Mine Safety Appliance Company, 600 Penn Avenue, 18 MSA Pressure Demand Air Mask, less trade-ins, for the Department of Fire, chargeable and payable to and it came under Mr. O'Malley's committee.

It was at that particular time and thinking of the article that appeared in the Pittsburgh Press front headlines by Andy Schneider I thought was a very appropriate article and much research he had put into it because it was eleven weeks, I believe, that he looked into it and that July 10th date-kind of coincides pretty closely. I questioned then our Fire Chief, Charlie Lewis, as to the state of the art and the type of equipment that we have for our Fire Department. Not only that but for the last several years I have been very interested and concerned that our Fire Department people do not have some of that equipment.

There was a lot of dialogue that went back and forth about the mask itself, the weights of the tanks that they were receiving, etc. At the Convention Center when they have the various small manufacturers, etc., put out their wherewithal the Fire Department of the City of Pittsburgh, along with other companies that supply fire equipment, put out their wherewithals. There was a display case of the City of Pittsburgh and in there it showed one of the jackets that was worn by one of our firemen who we're all well aware of, Bernie Burns who is now the President of Firefighters Local No. 1, where half of the rubber was burnt off of that particular jacket. You wonder how any fireman wearing that could ever have lived through that fire. It is what they call a flashback and this is part of the record that was read in the July 10th meeting. I asked at that particular time as I've asked in the past the Nomex flying suits that were worn by pilots or anyone who works with petroleum because of its high resistance fire retardant capability as a material. I can say it itches a little bit too. But I asked the Chief on numerous occasions if we have the latest equipment for our firefighters, July 10th, asking is we have this state of the art equipment. He answered absolutely yes, we do. Then the article comes out and tells all of the things that we've had happen and even at that discussion I said, "Do you go to any of these seminars, etc?" and the Chief indicated that the National Fire Academy has been into that for a number of years. Another quote I know when I was on the International Committee, the International Committee about eight or nine years ago and the Health and Safety Committee, we were into that meaning trying to get the best fire equipment in the world.

When you read that article in Sunday's paper and you see the injury rate of the people of the City of Pittsburgh and taking that of the city of Philadelphia, a like city with like type of structures and high-rise buildings, etc.,

you wonder where we've been in the last 10, 15, 20 years. I'm very concerned about what is happening. It was nice that Mr. Schneider from the Pittsburgh Press did such a good read-out in his report because it enlightened all of us that our firemen, some 1,000 of them, do not have the state of the art equipment. Something has to be done. The Mayor came out in the newspaper today and said exactly what he's going to do but for nine some years on this Council I have been discussing that very same issue and I've been told by that Chief and other chiefs that we've had the state of the art.

It's incumbent upon some people in this room, I think, to look further and to make sure that the statements that anybody makes, including the Mayor or myself, that it's carried out, that we see this equipment come on board and see it happen very quickly.

I have a statement to be read into the Record in regards to this fire equipment because I feel this has been a sore point with me. I feel that possibly I have let myself down and the people of the City of Pittsburgh, including my own fire department by not pursuing the issue but I am not that committee although I have been a firefighter in the past in the military.

In the past week, Pittsburgh has read and heard reports regarding the substandard condition of the fire safety equipment used by the Pittsburgh Firefighters. I am in full support of the Mayor's pledge to upgrade the quality of the fire equipment and to improve the safety policies and standards in all City departments. I am committed to the state of the art equipment in order to safeguard the lives of the firefighters and to protect the lives and the property of our citizens.

How can you expect a fireman to go into some of these holocaust fires to pull out children that are entrapped in there if they don't have the proper equipment to go into it. Believe me, when you're in that corridor going up that staircase and you're by yourself, you have to ask yourself the question, "Am I going to kill myself doing what I'm doing?" There are many brave acts of heroism that happen in the Fire Department that are never told; only the person that's there at that particular time knows what happens and he has to live with his conscience for the rest of his life, be it whatever he does.

From my first year as a Councilman and as a Chairman on the Committee of Public Safety, ensuring the public's safety has always been my first priority. In local government I think of the type of fires that we have and the actions that I have done in the past. That is why eleven weeks ago on July 10th at Council's Finance Committe Meeting I first raised the issue of the questionable quality of the Fire Department's equipment again while discussing the purchase of air masks only as provided in Bill 976. This has been on-going, as I indicated, for the past nine years.

My concern stems from prior experience with the safety precautions used on military bases where I was the chief of security and a helicopter firefighter. I can't go into it but it was fighting petroleum fires, chemical and petroleum fires, one of the worst in the world. We had some sophisticated equipment. A person could walk through any fire they wanted to for about a minute or so without even being burnt and be able to go in and rescue a person and shield them over with a blanket that we had that would protect them while they were bringing them out.

In the weeks ahead, the Administration begins to purchase its new fire equipment and establishes new fire safety procedures. I am firmly committed to monitor these changes and to continually address the problems of fire safety and I am certain that all of us on this Council will join in the unified effort with Councilman O'Malley, the Chairman of the Committee on Public Safety, to ensure that the equipment and procedures used by the Fire Department are the most modern available in order to guarantee the high efficiency of the Pittsburgh firefighting capability. I think that's a must; it's a requirement that we must do. It's been long overdue. I'm glad that the media has finally published something that I have been preaching in this Council for nine years but for some reason have not been able to do anything. That's what's so beautiful about the media. Sometimes when government can't move they move it for us.

Thank you, Mr. President.

Michelle Madoff:

On Bill 976, Mr. President, I would urge Council to put a freeze on purchasing because we don't want to continue purchasing the wrong items. Obviously there's a request to purchase what we've already been purchasing.

I would like to point out three very quick items. In the article it states that in no other city, no other fire department, are the men or women required to buy their own clothing. It's never been done. "Fire Chief Lewis goes on to say that it's been the custom of what's to buy is left up to the men", and we hope that someday we'll have women, we have one woman, "and although Lewis maintained there are no national guidelines that tell us what to buy, extensive standards do exist."

I think that gets into the issue of the 100 pound dummy. Boots are a lot heavier than fire retardant pants and gloves that are very light. Maybe then they could carry a 100 pound dummy.

I would suggest that we put a halt on all purchases on that bill until we find out what is being purchased and I would like to request a post agenda this coming Wednesday.

The Chair:

Councilman O'Malley is out of town. I was going to suggest that we hold it a week from Wednesday.

Michelle Madoff:

Is he gone for a week?

The Chair:

I don't know how long but let's make it a week Wednesday.

Michelle Madoff:

I have no problem holding it until my colleague gets back but the thing that I would like to have a vote on right now is that we hold the purchases under 976 because obviously we're going out and buying the wrong thing because that's what the purchase order was for. That is a motion, Mr. Givens. Don't you support holding that?

The Chair:

Michelle, may I make a suggestion? Why don't you wait until after you hear from the Chief.

Michelle Madoff:

We may already be ordering it. We may not be able to give it back.

The Chair:

Just tell them, Mike, to hold the purchase. I don't know that we have to go through any formality.

Michelle Madoff:

Mike, would you put in an order that we hold all purchases under Bill No. 976 until we review what the items should be and I would like a post agenda at the earliest possible moment. As far as I'm concerned, I thought it was decided by the President of this Council and by the Finance Chairman that hearings did not have to be a post, they could be a general hearing of some sort. We could get together on a Monday morning, on a Tuesday morning, on a Tuesday afternoon or Wednesday right after session so that we have some time to do some work in our offices or anything else that we need to get done.

The Chair:

Let me go back to the subject if I may. I would hope that no one would intimate that our Chief of Fire in any way is doing anything to endanger his men. He just left those ranks to work with the Administration as a Fire Chief. On the other hand, there is a serious indictment that has come relative to the accusations that are in the newspaper and in view of that we can't just sit by. I was going to ask that we have this and we'll talk to Mr. O'Malley who is Chairman of that committee and have a post agenda on it so that we do get a report to see what the condition is and at the same time see what we can do to improve it.

Michelle Madoff:

Mr. Stone, I realize you're trying to be diplomatic and I appreciate that. We don't want to get into personalities. But there are some times when the public's right to know — I must tell you that when Fire Chief Lewis was appointed I personally went to him and said, "If you need anything for the Fire Department in any way, shape or form, I will fight to the death to give you what you need for the men and see that you get it because that is important." He said to me, "We don't need anything; we have more than we even need. The Mayor has given us anything we want." As Mr. Givens pointed out and it is stated in this article, it is public information so that the media had very little trouble getting the information of what the state of the art is on equipment. There is no excuse, none, that our firepeople were in danger. I think there's going to be litigation coming out of it. It's a shame that this was allowed to happen. I think it was a matter of being frugal on the part of the Administration and it's an unfortunate situation.

The Chair:

If my memory serves me correctly, when I served as Finance Chairman I increased that budget item for clothing allowance over and above what was adequate.

Michelle Madoff:

Right. But Mr. Stone you never went to a meeting because it's not your job to go to an Association meeting of what's going on in firefighting today in the 1980's. Somebody did and it was obviously monies that this Council voted for and paid for to send somebody to those meetings. It is a disgrace to find out that we just thought it was pro forma for firefighters to pay for their own equipment and their own uniforms. That should stop immediately. They should not have to be for their own uniforms and equipment.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 1485

Report of the Committee on Finance for September 26, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1359

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Taussig's Graphic Supply, Inc., 8909 Freeway Drive, Macedonia, Ohio 44056, in the amount of $816.10, in payment for services furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1360

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Three-M-Business Products, P.O. Box 360314M, Pittsburgh, Pennsylvania, 15251, in the amount of $700.94, in payment for services furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1361

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Cole Publications, 1 Parkway Center, Room 204, Pittsburgh, Pennsylvanai, 15220, in the amount of $767.50, in payment for five (5) Pittsburgh Cole Directories, furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Stone
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1362

A Resolution entitled, "Resolution transferring the sum of $3,000.00 from Code Account No. 1457 (145706), Purchase of Uniforms and Equipment, Department of Police, to Code Account No. 1451 (145102), Repairs, Department of Police."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Stone
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1363

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Susquehanna Fire Equipment, P.O. Box 209, Ewart, Pennsylvania, 17703, in payment of 29 sections of 1-3/4" Double Jacketed Polyester Fire Hose for the Department of Fire, without previous authority of law."

Which was read.

Also,

Bill No. 1374

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Financial Press Corporation in the amount of $7,489.80 for services relative to the printing and binding of the 1982 Pittsburgh Municipal Record, without previous authority of law, chargeable to and payable from Code Account No. 1005-2, Printing Municipal Record, Index Code 100529."

Which was read.

Also,

Bill No. 1375

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Volpe-Rogal Incorporated in the amount of one hundred fifteen thousand two hundred fifty dollars ($115,250.00) for services rendered for the Administration of the Workmen's Compensation Fund for June, July and August of 1984."

Which was read.

Also,

Bill No. 1376

A Resolution entitled, "Resolution providing for the issuance of a $2,314.50 warrant in favor of Colonial Taxi and Paratransit Services, Incorporated in settlement of claim for vehicle damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 1377

A Resolution entitled, "Resolution providing for the issuance of a $982.00 warrant in favor of Community College of Allegheny County in settlement of claim for property damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Stone
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1379

A Resolution entitled, "Resolution providing for the transfer of funds in the amount of $30,000.00 from Code Account 57, Index Code 005702, Social Security Fund, to Code Account 1017, Index Code 101709, Miscellaneous Services, Office of the Mayor, Mayor's Office.

Which was read.

Also,

Bill No. 1380

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants to aid the Mayor's Task Force on Women in Renaissance II in its women's business enterprise purchasing program. Responsibilities of the Consultant or Consultants are to include women's business enterprise recruitment, and purchasing procedure review aimed at increased women's business enterprise participation in the City's purchasing program, the cost of which shall not to exceed Thirty Thousand ($30,000.00) Dollars, chargeable to and payable from Code Account 1017, Index Code 101709, Miscellaneous Services, Office of the Mayor, Mayor's Office."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Stone
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 1486

Report of the Committee on Public Works for September 26, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1282

A Resolution entitled, "Resolution amending Resolution No. 303, approved April 9, 1984, effective April 24, 1984,

which is presently entitled, "Granting unto L.D. Astorino & Associates, Ltd., their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a sidewalk encroachment in a portion of the sidewalk of Liberty Avenue at Market Street in the 1st Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mrs. Masloff
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner

AYES 6 NOES none

(MR. STONE ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1353

A Resolution entitled, "Resolution amending Resolution No. 210, approved March 22, 1984, effective April 3, 1984, entitled: "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for traffic signal installation at various locations within the City of Pittsburgh; and providing for the payment of the cost thereof," by reducing the total project allocation $40,000.00."

Which was read.

Also,

Bill No. 1354

A Resolution entitled, "Resolution granting unto the Software Engineering Institute (SEI) their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Bridge to Transport Pedestrians from Building to Building over a portion of the right-of-way of Henry Street in the 4th Ward of the City of Pittsburgh." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Stone
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

Bill No. 1487

Report of tlie Committee on Planning, Housing and Development for September 26, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1366

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority for the administration of a Special Housing Program utilizing the Neighborhood Housing Services, Incorporated of the North Side."
—(SPONSORED BY MR. ROBINSON)

Which was read.

Mr. Givens:

I would like from the Wednesday session Bill 1367 as well as back in the Finance Committee on Bills 1381, 1382, 1383, and 1384, that my remarks be brought forward. That's travel in the City of Pittsburgh.

(BEGINNING - MR. GIVENS' REMARKS ON BILL NOS. 1381, 1382, 1383, AND 1384 - WEDNESDAY, 9/26/84)

Mr. Givens:

Opposed, and I will oppose this and all other of these communications which this week, Mr. Chairman, add up to $3,500.00 some dollars, and if you multiply that by every week that we meet, we get kind of an idea.

Mark one more thing to my comment. That for every brochure and every agenda item and all the minutes that have been discussed at that particular meeting, the only thing that they lack is a little bit of an input themselves.

I am opposed, Mike, for reasons so stated, so I'd like to repeat myself, or not to repeat myself, I'll make a no vote in all these travel requests, and I'd like a statement put in there so I don't have to repeat it each time on the record.

(MR. GIVENS' STATEMENT)

As I echoed last week, we have something very hard facing this Council and facing this Administration and that is a $31 million possible deficit because of a tax question before the Commonwealth and now the Supreme Court of the State of Pennsylvania. I've asked all the directors that only where absolutely necessary, to send people on trips anyplace because that is one area that we can cut back in.

Another area we can cut back in is supplies and I think we have to tighten our belts up. If the Mayor is putting the freeze on the hiring of people, then we have to put somewhat of a freeze on the purchasing of equipment and the sending of people anyplace within the country because otherwise, we want to be in a more favorable position that what we might be in if the Supreme Court decision comes down, because it is going to be a dramatic one.

I want to try and save as much money as we can and only because of that situation. I think people should travel and they should be educated and everything else, but when the buck is not there, when the dollars that are facing us in the future are going to be critical, then I think we in this Council must then ask ourselves that these not be appropriated and that the directors, before they send anybody anywhere or purchase any equipment, major

equipment, that we could forestall until this final decree comes down from the Supreme Court and that we hold everything almost in obeyance and hopefully that will come in shortly. For that reason, I will vote no on all travel requests and all future travel requests until something comes up that might relieve this situation.

Michelle Madoff:

Mr. Chairman, please, I'd like for the record to point out there are things that are cost effective. That is being penny wise and pound foolish. If we have people better informed they can do a better job. We are talking about peanuts compared to saving the City thousands. Every time Mr. Givens' comments are put in I would like my comments put in also. So he doesn't have to repeat it, just repeat mine also.

(END - MR. GIVENS' REMARKS)

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Stone
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Grabowski presented

Bill No. 1468

Report of the Committee on General Services for September 26, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1331

A Resolution entitled, "Resolution authorizing the City of Pittsburgh to incur lease rental debt in the amount of $6,300,000.00, by entering into an equipment lease with City of Pittsburgh Equipment Leasing Authority at annual rentals in varying amounts which will be sufficient to pay the principal of and interest on the Authority's Equipment Revenue Bonds, Series of 1984-A, the proceeds of which will be used to pay the costs; approving the form of lease and authorizing execution of the official statement relating to the Authority's bonds.

Which was read.

Mr. Givens:

On Bill 1331, I argued on Wednesday and I'd like my remarks from Wednesday to be brought forward. I'd like to briefly go over one or two of those comments and why I have objections and why I was the only person who voted no on this bill.

We created the Leasing Authority to go out and sell bonds and buy equipment in this particular bill to the tune of $6.3 million. I question the bill's integrity in that we were buying equipment not for emergency, police, fire, emergency medical, but mostly for

Parks and Recreation and the Department of Public Works dump trucks, etc., which I'm sure are needed. But I ask in all austerity that this be held. In getting into the finance mechanism of the Leasing Authority itself, I have a little bit of a problem — We don't even have enough people here to vote. I'm going to wait until the people come back in.

Michelle Madoff:

I don't think the other two members are coming back.

Mr. Givens:

I want the Finance Chairman here. I want him to hear this. He has responsibility primarily as well as the President of Council.

Michelle Madoff:

I think you've got a valid point. Can we get the Finance Chairman to come in?

Mr. Givens:

Thank you.

Ben, I'm referring to Bill 1331 right now and my objections to this particular bill. It looks very simple on the surface that we go out and borrow $6.3 million and buy a series of equipment for the City of Pittsburgh, hardly any of it going to what I feel are life saving departments, that of Police, Fire and Emergency Medical. Most of it is going into that of Parks and Recreation, the Department of Public Works, primarily is the major function of this thing. The thing that we must look forward to is a lawsuit of some $31 million that we are still liable to in the past.

With this bond issue at $6.3 million, to pay it back in just six years is going to cost the taxpayers $3.5 million and that's at a nice settled 9-1/2 percent. Why don't we tax the people for $6.3 million which we should have done? Not go out and have to borrow for six years and we're doing this each year. We have borrowed in 1981 $9 million at a much higher rate; 1982 for $5 million; we skipped 1983; 1984 we're back to $6.3 million. Each year we're going to go out and we're going to buy equipment for the City of Pittsburgh. My point is, I think we should tax the people for this equipment because I would rather be taxed today than have to turn around and pay interest on $3.5 million for only borrowing $6.3 million in a six year time frame. I hope you understand that little financial mechanism. It's very simple. I think the Leasing Authority, we ought to get it and just tear the papers up and throw it out because it's costing the taxpayers of the City of Pittsburgh a minimum, or maybe I should use the word maximum, of $3.6 million in six years to go out to borrow $6.3 million for our equipment.

For that reason and that reason alone, in all consciousness I cannot vote for this bill or any other bill that comes out of the Leasing Authority. It used to be that the only time we would float a bond issue would be for major pieces of equipment like buying four or five firetrucks that ran $100,000.00 some apiece and we'd go out and buy maybe four or five of these at one time. Now all of a sudden the Leasing Authority. We've got all these authorities created, we've got the Water Authority created, all these authorities and what does that do? It makes our bond rating much better within the same thing that Mr. Flaherty was trying to do here a little bit earlier, to enhance our bond rating. This enhances the bond rating on one side; on the other side of the coin, though, it is

slapping the people to the tune of $3.5 million just to borrow $3.6 million for really just one year. We're looking at each year we're doing this. It's asinine and I vote no.

Mr. Wagner:

I'd like my comments brought forward from last Wednesday's meeting on Bill No. 1331.

(BEGINNING - MR. GIVENS' AND MR. WAGNER'S REMARKS ON BILL NO. 1331 - WEDNESDAY, 9/26/84)

Mr. Givens:

Wait a minute. We have an amendment on the floor and I don't know if we have to vote for that and then go back to the bill.

The Chair:

Yes.

Mr. Givens:

I want to talk about the bill itself but there's an amendment.

There's one question, Mr. Schmeiser, that I have on this particular bill as it applies to the URA, which I though was a fine bill for the Leasing Authority. How many other bonding issues have come before us with minority participation?

Mr. Schmeiser:

You mean a general obligation bond issue? The Task Force on Professional Contracts would include underwriters and bond counsel and they will address that.

Mr. Givens:

So that's the biggest one that we have. What about the other authorities?

Mr. Schmeiser:

The Parking Authority has not had a bond issue for two years. I don't think ALCOSAN has a bond counsel.

Mr Givens:

If they do, how would it apply?

Mr. Schmeiser:

The Housing Authority has not had a bond issue. The Parking Authority is an independent body and most likely they'll adopt these provisions for the task force, but I don't think that they are obligated.

Mr. Givens:

You are saying 15 percent, as Mr. Robinson so indicated, that this is supposed to be a standard for the City of Pittsburgh, right?

Mr. Schmeiser:

Right.

Mr. Givens:

What percentage of minority contracts in total amount are spent by the City of Pittsburgh on the minorities?

Mr. Schmeiser:

I have no idea.

Mr. Givens:

George, do you monitor that on total contracts?

Mr. Jacoby:

I can't give you the precise numbers, however I can give you a ballpark figure that in the purchasing sector it would be approximately four percent.

Mr. Givens:

I'll pass on this but I have to agree that this is a unique situation. If it goes to Pittsburgh National Bank, what is Pittsburgh National Bank's policy on hiring of minorities?

Mr. Schmeiser:

I think they have a very liberal policy.

Mr. Givens:

They have?

Mr. Schmeiser:

Pittsburgh National has a very good record as far as minority hiring, etc. I think that they have been very helpful to New World Bank, for instance.

Mr. Givens:

What is the track record on hiring women and minorities? Is there anyone here to address it?

Mr. Schmeiser:

Yes, Mike Stabile is here.

Mr. Givens:

What I am trying to drive at is that there is a concerted effort here and even though this amendment might not be passed, it is not illegal because of the uniqueness of it. Do they have some type of plan for both women and minorities?

Mr. Schmeiser:

Mr. Stabile can answer that.

Mr. Stabile:

Our plan of hiring in the past has been that we try to recruit lawyers who are the most qualified people from the law schools and that is where we interview possible applicants. That has resulted in hiring presently 12 lawyers and 1 minority lawyer on staff. In the past we have had other minority lawyers, who for one reason or another, had left the firm.

Mr. Givens:

Percentage wise, how many attorneys do you have?

Mr. Stabile:

We have approximately 110.

Mr. Givens:

Have you had an affirmative action plan for a number of years? Have you made a concerted effort to hire minorities?

Mr. Stabile:

We are making efforts to develop such a policy and to develop an affirmative action hiring program. It is not something that is easily done but it is something that the firm is making an effort to develop.

MR. O'MALLEY COMMENTS

Mr. Stabile:

It is difficult to develop. If we're interviewing at a law school and we

indicate to the people that we want certain class managers and certain class ranks, we interview the people who fall into those categories. The history has been that there is no record kept of whether there are minorities and whether there are no minorities. I don't have a way of telling how many minorities or women were offered positions with the firm or the ones that have been rejected, so the history simply isn't there because we haven't had a need in the past to determine the effectiveness of the policy.

Mr. Givens:

I would say that the minorities want a little bit of the action returned to them and as a public body we are asking them to negotiate with us.

This is a deep concern of mine and if we feel, Council body, that we are not making a concerted effort to help it along, I cannot, in all good conscience, vote for that particular company even though the bond issue might be good. We have to look into that to be sure that that's the case. In dealing with other bonding agencies that may be fine, but this is an effort that must be done with the company that does business with the government because as a leader it has to insure that we have equality amongst all of our people and if we don't then all of us are not doing our job.

I want to know briefly what your comments are. It seems that if you are continuing business with the City that you try to make every effort to bring them out of the boot straps.

The Chair:

All those in favor of the amendment?

Those opposed?

With a majority of the votes of Council not being in the affirmative, the amendment was defeated.

Now, on the bill itself.

Mr. Givens:

Discussion on the bill. I have to get some clarification on the bill itself.

I heard the mention it's a $6,300,000.00 to buy vehicles within the City of Pittsburgh, and you did mention 53 percent of the prime, and you did say it was 6 percent today. However, in this bill, I see a schedule where you have to pay back a certain amount of money starting for zero in 1984 naturally, and 1985 for 1990. If I add that up, that total, I'm coming up to an enormous total.

Mr. Jacoby:

There is a ceiling of nine and a half percent. Our total interest obligation cannot go over; therefore, the debt obligation cannot go over, therefore, the debt schedule before you, you must assume under state law the highest. So, it's nine and a half.

Mr. Givens:

The prime was 18 percent and 21 percent months ago, and now it's down, and election is going to be over. What's it going to go to?

Mr. Schmeiser:

We're protected.

Mr. Givens:

I appreciate that, taking that nine and a half percent, and hopefully we're not in this type of interest rates, but here is that possibility and that's a

concern of mine, and even the buying of certain vehicles in this particular fleet, and I know you were telling me that some of the operators are in pretty good shape, but most of it comes from my own department of Public Works and that would be Environmental Services to the tune of $2.8 million and that's a lot of — a lot of it comes from Parks and Recreation, which so indicated about half a million. Now, my point is to bring it back up again. I know we have a court order before us giving Home Rule cities to tax higher than what we have.

I voted for years against the tax budget in the City of Pittsburgh because I thought it was going to be too high. I asked for a reduction because when I go to other cities, when I go to the Mayor's conferences, when I went to them several years ago, everyone was cutting back.

The City of Pittsburgh has been growing. The burden of buying vehicles is so great out of general revenue which is really tax dollars as we appropriated each year. I went eight years and a half on Council for about $90 million budget up to a $250 million budget. Now, let that sink in. When I look at that schedule on $6.3 million to borrow, and just the pay back in six years, it's going to cost the taxpayers $3.6 million.

Now, I have to ask myself a question. The Leasing Authority is something I think, because of the past Administrations and maybe the present Administration of earlier years faces was not addressing the vehicles fleet of some 300 vehicles that we had underneath us. We had inadequate maintenance for those vehicles, and we still do. This is why we go out and go to the Leasing Authority. That is money that the taxpayers of the City of Pittsburgh have to pay back with interest; the maximum is nine and a half percent.

I'm going to get hard when it comes to borrowing. Somebody better start addressing that, and for that reason, I'm taking my stand on that bill today and vote no or I'm going to as that between now and Monday to go back and look at this laundry list. One department gets some 20 dump trucks and another gets another 10 dump trucks. Can't we consolidate for everyone and have a routine down where we bring every dump truck from every department in for that little snow here during the winter months, unless you really get smacked with a hard year, and I know we need these vehicles, and I'm asking each director to restrain and yet here comes $6.3 million with 3. some million of intererst to pay back, I don't think the people of the City of Pittsburgh ask this —

MICHELLE MADOFF COMMENTS

Mr. Schmeiser:

This vehicle is better. Let me explain why. The City leases this equipment from the Leasing Authority by paying rent every month. The Leasing Authority takes that money and invests it at unlimited arbitrage. So, we're maybe paying one to two percent more for this money. This is an extremely good vehicle for the City.

MICHELLE MADOFF COMMENTS

Mr. Givens:

Some $6.3 million, you're not going to buy all of this money to save. That's my exact question to you. We should come in with half of this now and half of it later. You're saying to put it in the bank and draw interest on it to help with it.

Mr. Wagner:

I request that when the request for proposal by the Leasing Authority is out for purchase that those requests for proposals for jeeps or pick up trucks or vans or whatever, go to all companies located in the City of Pittsburgh that sell those products, in addition to anyone else that you may have on your list to send out. In the past we have purchased vehicles, standard vehicles from dealerships located outside of the City. I personally feel there are sufficient numbers of companies, dealerships providing most of this equipment — not all of it, there are some items here, I'm sure, that companies are not located in the City. But if we need 15 Dodge Omnis, I think there is someone in the City that can sell them to us and I am requesting to both of you that those requests for proposal go out to City-based dealers, companies that provide those products.

One last question. I notice as part of the equipment to be purchased, there is a boat for the police department and an inflatable boat also for the medical services department and I suspect that's for river safety partol, is that correct?

Mr. Schmeiser:

That's correct.

Mr. Wagner:

When will we have those two items in operation in the City?

Mr. Jacoby:

The inflatable boat is here now. The large boat has been ordered and it should have been delivered two weeks ago, actually, but it is due here now.

Mr. Wagner:

So, in other words, as soon as we get it, it will be in the water in operation available for emergency rescue operations?

Mr. Jacoby:

Yes.

Mr. Wagner:

Thank you.

Mr. Givens:

Hold it. We didn't have a negative vote, and I would like to make a comment on that vote. And I would like to end — and another reason for my no vote is when I look down this laundry list of $6.3 some million worth of vehicles, I'm concerned about the public welfare and safety of the people, and I see the police department not only receiving $462,000.00, and I think Environmental Services receiving $147,000.00, now I know those fleets were upgraded a couple of years ago, but when you consider a police vehicle averages some 50,000 miles on their vehicle per year, they just about last a little over a year and a half to two years. Why such a low rate for them, and why such a high rate of another almost $5 million for departments where if you know — Public Works I have to say, and the 20 dump trucks are needed at one crack, and is there any way that we can reduce this figure to bring it down a little bit from the $6.3 and does our Police Department have everything that they are supposed to have.

Mr. McNamara is in the room right now. And I see vehicles that are down. I get reports of how many vehicles that are down and I question our maintenance fleet to keep up with the

vehicles that we have in existence today. That's always been a problem of mine. And because I have, I question, because how many times has the Leasing Authority come between us —

MR. WOODS COMMENTS

Mr. Givens:

I'll just ask George privately.

(END - MR. GIVENS' AND MR. WAGNER'S REMARKS ON BILL NO. 1331 - WEDNESDAY, 9/26/84)

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

AYES 6 NOES 1

(MR. GIVENS VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1355

A Resolution entitled, "Resolution amending Resolution No. 471, approved June 29, 1984, entitled: "Providing for the letting of a Contract or Contracts for the furnishing and delivery of Printer Acoustical Enclosures for the Bureau of Information Systems, Department of the Mayor, Code Account No. 1045, Index Code 104505, Equipment and for the payment thereof."

Which was read.

Mr. Givens:

I would like the communication on Bill No. 1356 which is not on the roll call here but I'd like my vote to be recorded as no and I ask that it be brought forward to the Municipal Record.

(BILL NO. 1356 - COMMITTEE MEETING - WEDNESDAY, 9/26/84)

Communication George Jacoby, Director, Dept. of General Services, requesting authorization for Robert Mill and Elaine Sadowski to attend the MCC Powers Conference on the basics of automatic temperature controls at the Holiday Inn, Parkway West in Pittsburgh, Pa., from Nov. 6-7, 1984, at a cost not to exceed $550.00, payable from Code Account No. 1128, Misc. Services, Dept. of General Services.

MR. GIVENS VOTING NO

(END OF INSERT - WEDNESDAY, 9/26/84)

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Wagner
Mr. Grabowski	Mr. Woods

Michelle Madoff	Mr. Stone
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. O'Malley presented

Bill No. 1489

Report of the Committee on Public Safety for September 26, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1364

A Resolution entitled, "Resolution providing for accepting a grant from the Sears-Roebuck Foundation in the amount of Three Thousand Eight Dollars ($3,080.00) for the operation of the "Officer Friendly Program" to be conducted by the Crime Prevention Unit of the Department of Police; and for the deposit of grant funds in a bank account."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Wagner
Mr. Grabowski	Mr. Woods
Michelle Madoff	Mr. Stone
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 1490

Report of the Committee on Engineering and Construction for September 26, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1369

A Resolution entitled, "Resolution amending Resolution No. 760, effective September 6, 1983, entitled: "Providing for a Contract or Contracts, or the use of existing Contracts, for the rehabilitation of playgrounds at various locations to be determined, and providing for the payment thereof," by increasing the amount by Fifty Thousand ($50,000.00) Dollars."

Which was read.

Also,

Bill No. 1370

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with Carnegie Library of Pittsburgh in connection with Renovations at the Central Branch

Library; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1371

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with Carnegie Library of Pittsbugh in connection miscellaneous renovations at the Central Branch and/or any Branch Library; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1421

A Resolution entitled, "Resolution amending Resolution No. 747, effective September 6, 1983, entitled: 'Providing for an Agreement or Agreements for architectural/engineering services and a Contract or Contracts for construction in connection with the Renovation of Fire Stations at various locations; and providing for the payment of the cost thereof,' by increasing the total project allocation by $130,000.00."

Which was read.

Mr. Wagner:

I'd like my remarks to be brought forward for the Record on Bill No. 1421.

(BEGINNING - MR. WAGNER'S REMARKS ON BILL NO. 1421 - WEDNESDAY, 9/26/84)

Mr. Wagner:

Mr. Reginella, could you please come up?

My comment is if you could provide this Council with a written list of the buildings that are intended to benefit from this piece of legislation and the type of work that will be done to those buildings. Do you by chance have that available?

Mr. Reginella
Asst. Director
Engineering and Construction:

I do indeed.

Mr. Wagner:

Is it the portion that you have circled here at the base?

Mr. Reginella:

That is correct. The last two listings represent the additional sites which we have included which are responsible, primarily, for the increase in cost. In addition to the fact that the bids that we received come in at a higher level than we had anticipated.

Mr. Wagner:

Okay. Now, these dollars here, $257,000.00, this legislation pertains not only to construction work but also consulting and engineering work prior to construction. What portion of these dollars are broken up into consulting and engineering, and what portion pertains to construction?

Mr. Reginella:

Roughly speaking, the difference between the $257,000.00 and the $280,000.00 that we are requesting.

Mr. Wagner:

In other words, you're saying — how many dollars pertain to consulting

and engineering?

Mr. Reginella:

About $20,000.00. About $22,000.00 or so.

Mr. Wagner:

Twenty-two thousand is for consulting and engineering services.

Mr. Reginella:

Correct.

Mr. Wagner:

I've asked this question before, and it may not be fair to be asking you because it wasn't posed to you. Why don't we have someone in the City of Pittsburgh and in the Engineering and Construction Department that knows enough about roofs that we don't need to go out and hire consultants to evaluate what type of work needs to be done on our roofs. We have 200 buildings in the City.

Mr. Reginella:

A very good point. My feeling is that we do not have the expertise in house to take care of the many jobs that come up and for this reason, we seek outside help.

Mr. Wagner:

One further question. Rule 8 was suspended on this Monday to get it through Council more quickly. Why is that necessary?

Mr. Reginella:

We're trying to get the work under way before the winter season is upon us.

Mr. Wagner:

Could you provide me and Council members, if they would like to have the same information, a detailed financial breakdown of the consulting work for each project and the cost versus the construction work.

Mr. Reginella:

I would be happy to.

Mr. Wagner:

Could you have that to us in a day or two?

Mr. Reginella:

Definitely.

Mr. Wagner:

Prior to a final vote on this legislation on Monday?

Mr. Reginella:

Sure.

(END - MR. WAGNER'S REMARKS ON BILL NO. 1421 - WEDNESDAY, 9/26/84)

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Wagner
Mr. Grabowski	Mr. Woods
Michelle Madoff	Mr. Stone

Mrs. Masloff (Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Grabowski:

Mr. President and members of Council, I'm sure that you all feel as I do that the period of time that we just experienced renovating our Council offices was very disruptive. For weeks I personally fell behind in my correspondences, my telephone calls and my constituent aid requests. In addition, I fell behind in my reading.

Now that the remodeling has been completed, I have for the most part caught up on my work and this weekend I even caught up on most of my reading. This brings me to the point I'd like to make. In scanning through some of the old newspapers that I had not had a chance to read, I came across an article that I found very disturbing. The article appeared in the Pittsburgh Press in August and it dealt with the attendance records of this Council. The column suggested that attendance at Council sessions was erratic. In fact, the premise of this column was that one of our members was heard broadcasting a local radio program at the same time a session of Council was taking place. I don't believe this poor attention to the business of the City of Pittsburgh, which we all took an oath to uphold, should be sanctioned any further.

Today I am submitting a proposed change to our rules for the purpose of formal introduction next Monday. I ask the City Clerk to please take these drafts and be sure that all members receive a copy. You will have a chance to review these amendments for several weeks before we act on them so I really don't think it's necessary at this time to explain them, but for the sake of satisfying the curiosity of the viewers watching Channel 17 and the curiosity of the news media, the highlight of my amendment is to increse the fine imposed on members of Council for unexcused absences. In fact, I'm asking for a fine increase of 10,000 percent.

I'm sure if we approved these measures it will be a great step in improving the public perception of this body. Never again, I hope, will we have to suffer reports that any of our members have only a 70 percent attendance record for frivolous reasons. That is absolutely unacceptable and I hope you'll all agree with me and when the time comes for a vote on this that you can support it.

Michelle Madoff:

Mr. President, I believe every year, and Mr. Grabowski may not be aware of this because he's only been on Council a year, but every year the reporters do an update of how many people have attended a session and haven't attended, whatever. And I think one year you and I ran neck and neck. You and I had a little debate in Council, a little fight, and I said I was here more than you were and they did a check and it turned out it was even-steven.

I talked to many reporters and many times people say things to me like, which is a great compliment to you, sir, that maybe you're not here as much as some other people but you get a lot more done during budget time, you're here after hours at night and sometimes around the clock.

Obviously this is geared to me because of the garage bill and I think that in fairness I should have a chance to rebut. I agree with my colleague that we should not be absent unless there is a definite reason and I think under the rules of the City Charter we're allowed X number of days for health reasons and X number of days for personal days. The day in question referred to about a member of Council who was not here but was indeed doing a radio show took place prior to Council's meeting. I did the show, got up at 4:30 in the morning, was there at 5:30, did the show until 10:00 and could have been here at Council maybe 10:10. I took that day as a personal day, frankly, because I had not slept.

The newspaper article that reported my absent days, Mike Perry as City Clerk will verify and attest to that every time I am going to be absent I call him, I tell him I will not be here, and I further tell him why I will not be here. In 1978 when I came to Council there was a log. Anytime anybody used a chauffer they said, "I'm using it." I wanted to know where they were going, whether it was City business, and I have always stated why I will not be here and gave the place I was going to.

For the edification of my colleague Mr. Grabowski, the time that I have not been here, and I will supply from my physicians the reasons I was not here, they were medical reasons. I was in surgery, I was recouperating from surgery, and the only time, as reported in the media that I was doing a show, was prior to Council. This morning at 7:30 I was on the phone from my home where I get more done when I have an office with three typewriters going, addressing an issue with a CETA employee who was not rehired and other strangers were hired from the City. I dealt with somebody about 8:30 who had another problem with the City. I have a paid answering service 24 hours. I have a list of every department head and their home numbers. At 2:00 in the morning I handle sewer backups.

I voted in this Council and put a motion before Council that we stay open and that Council be here 40 a week and account for 40 a week. Most of us can account for 80 hours a week without what we do in other meetings and other things that we do, and Mr. Woods asked me at the time to change the bill to not say that we work 40 hours but that we keep our offices open 40 hours. Is that correct, Mr. Woods? Mr. Woods voted no for that bill. Mr. DePasquale said at the time, "We don't have to prove that we're here 40 hours; the public knows that we work 40 hours." I work sometimes 100 hours a week, sometimes 80 and sometimes I take off in the month of August.

I think we should have attendance not only at our official meetings on Mondays and Wednesdays but we should not have what our former President of Council did, check in at the meeting, stay 10 minutes, maybe 20, leave and show up at the end of the meeting.

If you're going to introduce a bill, it should be amended so that anyone who is not here provide, as I've always been prepared to do, a reasonable excuse. I have been here since 1978 and I think in one month I do as much as — I would unfortunately like to say, Mr. Grabowski, that the only thing that you've done that I know of any substance is to correct typographical errors in the Minutes.

The Chair:

He is permitted to put in rules —

Michelle Madoff:

But I was the target and I think that in response to being the target the only thing he's done of any substance is to correct the typo errors in the Minutes. It's time he started doing something substantive for this Council.

Mr. Grabowski:

Mr. President, I did not target any specific member.

Michelle Madoff:

Everybody knew who you meant and I never hide from the public. I think the public knows I'm one of the hardest working members of this Council.

Mr. Grabowski:

If the shoe fits, wear it.

Mr. Givens:

Prior to my open heart surgery I had a 98 percent attendance record here and that includes all hearings from the beginning to the very end of that hearing, all sessions from the very beginning to the very end.

I think it's a Councilmatic amendment and it will have to be discussed in private among the Councilmembers.

Michelle Madoff:

In public, not privately. May I suggest that we discuss it in public not in private because I don't think there should be the kind of accusation made today without the person having the right to defend themselves.

Mr. Givens:

I have to say in comment that within the nine years that I've been here and the twelve years that you've been here there's only one time that we did not have a quorum in this Council to conduct the business of Council and it happened to be be unfortunate and as Mike knows I always give the President and he a copy when I have reason to be out of the City or away from a meeting. When you sit on many boards, commissions and authorities, sometimes we have conflict in our schedules between Council and very important issues that come before other quasi governmental bodies and community organizations that we also sit on and sometimes in our own reason of judgment it's best for us to be other places than to be here unless there's a very important issue that requires you to be here.

We're in session 50 weeks out of the year and I'd have to look at all other legislative bodies throughout this country. None of them that I know of are in session for 50 weeks. I can look at our state General Assembly and I think they're only in session about six or seven months out of the year. Even Congress is only in session about seven or eight months out of the year. It's for a good purpose. It's to get back to your constituents. Even though we live in the City of Pittsburgh, our constituents cover the 425,000 people in 60 some neighborhoods which means we can't be sitting down glued to the seat here for 52 weeks of the year. We must be out in that field where the work is and where the people are demanding us to be.

Michelle Madoff:

Mr. Stone, one final comment. In the news media, Mr. Grabowski said that if I was going to dredge up items such as the garage bill to use personalities or the

issue of not voting as stated by a reporter in the paper that I would use that kind of material to push my issue, that he was going to go back to the papers and find something to use against me. He stated that in the papers and I think this is exactly what he's trying to do.

I think in principle, a long time before he came to Council, I tried to enact a very similar bill that would make all of us responsible and accountable for where we are when we are not here, allowing us the number of days under the law that we are allowed to take, which most of us haven't even used the personal days. I think that this is a real cheap shot and beneath the dignity and contempt of a colleague.

Michelle Madoff moved to excuse Mr. O'Malley for absence from the meeting.

Mr. Woods seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Wagner**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, October 8, 1984 No. 39

Municipal Record

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, October 8, 1984

PRESENT:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mrs. Masloff presents

Bill No. 1530 WHEREAS, Teacher Of The Year Award is a nationally sponsored competition held in each state throughout the country; and

WHEREAS, this year the Pennsylvania Department of Education requested candidates from over 110,000 practicing teachers in Pennsylvania; and

WHEREAS, after careful review of the candidates, the Department recently announced the 10 finalists for the award, 3 of which are from the Pittsburgh School District; and

WHEREAS, the teachers who have brought this distinguished honor to our City are: Lawrence Osley from Peabody High School; Joanne Meldon from Taylor Alderdice High School; and Phyllis Chapman from Linden Elementary School; and

WHEREAS, these achievements have brought great honor and prestige to the City of Pittsburgh.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City Council, hereby recognize and commend Pittsburgh Teachers Lawrence Osley, Joanne Meldon, and Phyllis Chapman for being chosen as finalists for the Pennsylvania Teacher Of The Year Award, thus enhancing the cultural heritage and adding to the dignity and pride of our City.

Mrs. Masloff moved to adopt the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mrs. Masloff:

Mr. Robinson just pointed out to me that this is a wonderful thing we're doing today; he has great respect for teachers.

Mr. Robinson:

Mr. President, if I might. As a parent who has two children in the public school system, I'm very proud to know that Mrs. Masloff has taken time out to honor these three distinguished Pittsburghers. They are part of our school system; they are part of the reason that our school system is good and getting better. I am doubly honored to be a part of a process to honor teachers in this City who far too often are not appreciated for the very fine jobs that they do to try to educate our young people, often times under very difficult circumstances.

These three idividuals I think represent the best in our school system; they represent the best of our teachers. I appreciate personally and as a Councilman the tremendous effort they're doing on behalf of our young people.

The Chair:

I recall back a few years when there was a mayoralty race and one of the candidates, Commissioner Foerster, interjected the matter of the school issue. Some said that was a School Board issue and not a City issue. As the years have passed, it's come to pass that the condition of the school is a very important thing in our City and more so now than ever.

I join you, Sophie and Mr. Robinson, in saying that we're proud of our school district and we're very proud obviously of those teachers who do the first bit of dealing with our students and we wish you well as you bring our children up the ladder of learning.

Thank you much.

Mr. Robinson:

Mr. President and members of Council, as all of you are aware, we are in the process, that is, City Council is in the process of deliberating the possible sale or transfer of our cable system. There are many issues and each member of Council has raised those issue which they felt were important. One of the issues that has been brought to my attention that I think is very important is the issue of the minority stockholders in the Warner Cable Corporation of Pittsburgh. As Council is aware, the minority stockholders own 20 percent of the stock and the system cannot be sold or transferred without their approval.

This resolution is designed to give support to those stockholders, that 20 percent, who have expressed an interest in attempting to receive whatever financial enumerations they might get from a sale or transfer at the earliest possible time. The resolution speaks to the whole issue of attempting to give to them an opportunity to be removed from the sale or transfer by giving to them an agreed upon price; that is, an agreed upon price that they felt would be acceptable.

I'll read the resolution and if there's any further explanation I'll be more than happy to give that.

Mr. Robinson presents

Bill No. 1531 WHEREAS, the City of Pittsburgh, Warner Cable Corporation of Pittsburgh, Warner-Amex Corporation and Tele-Communications Incorporated are in the process of negotiating the sale

and transfer of the City of Pittsburgh Cable franchise; and

WHEREAS, the reasons for the proposed sale and transfer in part are related to the financial obligations of Warner Cable Corporation and Warner-Amex, and their stated desire to be relieved of their obligations in the City of Pittsburgh due to an inability to perform pursuant to the Cable Franchise Agreement; and

WHEREAS, twenty percent of the stock of the Warner Cable Corporation of Pittsburgh is owned by seventeen Pittsburgh based community organizations whose financial obligations and projected financial commitments are being adversely affected and effected by the deliberations on the sale and transfer; and

WHEREAS, it would be in the best interests of the City of Pittsburgh to aid and support these organizations to continue in their servicing the needs of the people of Pittsburgh.

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh on behalf of its citizens strongly encourages Warner Cable Corporation of Pittsburgh, Warner-Amex and Tele-Communications Incorporated to pursue all ethical and legal means to compensate the seventeen community organizations, owning twenty percent of the stock of Warner Cable Communication of Pittsburgh, in a manner that allows them to be relieved of any further obligations and rights in the sale and transfer, and to provide to them, at a minimum, two million four hundred thousand dollars to be distributed among all seventeen organizations.

Mr. Robinson moved to adopt the resolution.

Mr. Woods seconded the motion.

Mr. O'Malley:

I'm not sure I understand the resolution, Councilman Robinson. Is what you're saying is that Warner fulfills their obligation to the 17 organizations before the sale or before the transfer takes place?

Mr. Robinson:

Yes. The premise of the resolution is that the 17 organizations have already taken the legal steps to accept a pre-determined payment for their stock. They have agreed to share $2.4 million regardless of the final sale price. And they have indicated that they would like to receive their money as soon as possible.

As I understand the proposals that we are presently considering, they do not involve at this point the issue of minority ownership nor do they involve the issue of what would be paid to these minority stockholders. That has already been pre-determined. As I understand it, all 17 organizations have signed documents indicating that they will share $2.4 million. It seems to me that if Warner, TCI and Warner-Amex are indeed operating in good faith and indeed feel that they have concluded their arrangements with these 17 organizations, it will be helpful to all concerned if an arrangement can be made to pay to these groups and organizations $2.4 million. I think that would accomplish a couple things; 1) those groups and organizations would no longer have to wait until there was a possible sale or transfer either to TCI or some other organization; 2) it would relieve them of any future

responsibilities in the cable franchise in the City; and 3) it will probably give to them what they ultimately expected and that is some dollars to operate their agencies.

I have not sensed from any of the organizations, and I've talked to representatives of most of them, any interest to continue in the cable business or any interest at this point to negotiate more money. They have expressed an interest to take the $2.4 million and be about their business. I think it would be helpful if we encouraged Warner, Warner-Amex and TCI to try and accommodate these 17 organizations. If for whatever reasons this transfer does not occur and Warner has to continue to operate the system, these organizations are going to be even more adversely affected because they will own 20 percent of nothing. Warner has basically represented that they have 100 percent of nothing and they'd like to turn it over to someone else that could turn it into 100 percent of something. These 17 organizations now have 20 percent of nothing, in the future they would have 20 percent of nothing. But someone is willing to offer them $2.4 million and I'm saying let us do what we can to help them get the $2.4 million since they have already agreed to it and have not expressed any interest in any further involvement in the cable system.

Mr. O'Malley:

If I might add, 20 percent of nothing is nothing and 20 percent of something is $2.4 million from the way I understand it. In my conversations with Warner Cable and the people involved in the negotiation with TCI, the $2.4 million that is offered to the 17 minority organizations are part of the whole package. My understanding that the $2.4 million offered to the minority community is going to come out of the $100 million offered from TCI to Warner for the sale of the cable. Without the sale, there's not going to be any transfer of funds.

So, because of this Council's concerns and this Council's request and the input that this Council is having on the sale, many people including myself feel that this Council is responsible for holding up the transfer of the sale because of the request that we have. It would seem to me that the transfer cannot occur, or at least the transfer of the $2.4 million, until the sale and the transfer from TCI to Warner of the funds. It seems like we're putting the cart before the horse here.

Mr. Robinson:

Let me just comment very quickly if I might. It has been my contention all along that the minority organizations, the 17 organizations, were deserving of more than $2.4 million. I've made that public. I think they're entitled to at least 20 percent of any sale or transfer price. If indeed Council, for whatever reasons, does not feel that we should separate the issue of the 17 organizations from the sale and transfer, then I would feel obligated to go back to my original point and that is we must determine the exact value of the sale of transfer and that this Council has an obligation to push for those 17 organizations to get more than $2.4 million, closer to $20 million which I believe legally and morally they are entitled to. For whatever reasons the organizations had decided legally to settle for $2.4 million, it seems to me that we would do ourselves well, Warner, Warner-Amex and TCI, if we encourage them to use the same kind of ingenuity and drive that brought about this new deal to also go and find $2.4 million to provide to these 17 organizations so they no longer have to be burdened trying to

operate in the cable business when their best service is in the line of providing public services.

Mrs. Masloff:

It's my understanding that they agreed to this sum of money, the minority organizations, and that on that basis the final agreement is being drawn. What more is there to be said?

Mr. Robinson:

I think that it's imperative that we recognize the fact that these 17 minority organizations do not have the expertise in the cable business that Warner-Amex, TCI or Warner Cable Corporation have but at this point, their main concern is not technology, it's getting the money that they feel they are entitled to that they signed for so they can go on with public services. These 17 organizations are probably suffering from the same kind of adverse economic impact as most community based organizations. They have a poor cash flow. They simply are requesting that everything be done possible to get them their money as quick as possible. Unfortunately, I don't have the power individually to make this sale of transfer happen tomorrow or the next day and based on some of the comments of Councilman O'Malley, there's no guarantee that's going to come any time soon. I'm simply pleading the case for these organizations that we try and encourage some means of getting them their money so that they no longer have to be burdened.

Mrs. Masloff:

How can they give them the money if they don't have it? How can Warner pay them if they don't have it? And TCI will not pay it until they take over the company. Isn't that a fact?

Mr. Robinson:

I think one of the things that perhaps could be explored is that both TCI and Warner, while their financial situation might not be what they or their stockholders want it to be, certainly in considering a $100 million deal, $2.4 million is a drop in the bucket. One of our local banks, Mellon Bank, has been kind and gracious and business-like enough to say they want a part of the new arrangements. Without trying to be facious, Mellon Bank certainly could help make some arrangements for the $2.4 million, even if it had some contingencies. But I think not to explore that possiblity gives us an additional snag in trying to resolve this whole issue. I'm simply trying to find a way that we can remove one additional concern and it seems to me that $2.4 million is a small price to pay for 20 percent of the stock of a major cable corporation which in the future is probably going to make a lot of money in this town. A lot of money under TCI. So, I think both TCI and Warner probably could find $2.4 million.

Mr. Woods:

Mr. President, I think we're all missing the key word. Bill is saying "encourage". That's what we are doing. If we pass this resolution, we are encouraging them to do it. It's not law or anything else and I make a motion to approve.

Mr. Wagner:

Mr. Robinson, are you suggesting by this resolution that if Warner so chooses that they today or tomorrow after the resolution passed, allocate $2.4 million to these 17 commununity organizations?

Mr. Robinson:

Yes and make it available to them posthaste.

Mr. Wagner:

In doing that, do you think we are in any way jeopardizing a fair evaluation as to whether or not the sale of this system is the proper thing to do prior to this Council actually voting on it?

Mr. Robinson:

That's a very difficult question and one of the reasons that I am taking the approach that I am is that there has been a tremendous interest on the part of these 17 organizations to get their money, that which has been offered to them. As far as I'm concerned, I'm kind of perplexed to understand why Warner would conclude an arrangement with 20 percent of the ownership of their company for a sale and transfer that had to be approved by City Council and the Mayor. Those organizations, or the 17 organizations that own 20 percent of the stock, now actually believe that there are $2.4 million available to them. Right now there is not $2.4 million. We have not yet gotten a true assessment of the value of the Warner system. No documents have been signed that relieves Warner of any rights or responsibilities. No money has actually changed hands. But these 17 organizations have signed documents saying that they'll take $2.4 million if this system is transferred. It's my believe in my heart that they're entitled to $20 million. I serve on one of the boards of one of the organizations that will receive money. I intentionally did not get involved in the deliberations because I did not want to in any way prejudice any decision that was made, but all the organizations after struggling with all these issues, these little sub-issues, came to the conclusion that it was in their best interest to sign that document and wait for the $2.4 million. I would dare say that they think that the sale is imminent, that the $2.4 million is imminent. They would like to have it yesterday because of the adverse position that they now find themselves in. I'm simply trying to find a way to accommodate them and at the same time not put ourselves in a bind that we can't reject the deal if we don't want it.

Mr. Wagner:

I appreciate the fact that you are trying to help out those 17 community organizations. I think all Councilmembers realize that they are very much a part of the community and help the community our very much. My problem is that, and I agree with the point you made earlier in that is 20 percent of the system worth $2.4 million. If 20 percent ownership of a system which is selling for $92 million, I interpret that as being 18 million is what that ownership is. However, it's an early buy-out and that early buy-out they are saying, the community organizations, we'll accept $2.4 million.

The problem I have with the resolution is that I think it's premature that this Council send any type of message to TCI, to Warner, or to the residents of the City of Pittsburgh, that this contract is acceptable to the City. I personally have some problems with that contract, the way it's written, the way it stands right now today. Each and every Friday we receive changes in the proposed contract. I have not yet even had sufficient time to evaluate the recent changes that came in this past Friday and we are continually saying that we are being pressed to vote on this particular contract. Pressed, why I don't know. There doesn't appear to me to be any critical deadline facing us. However, the problem with this

resolution, even though I agree with you that 17 community organizations may need additional funds to operate, the problem with this resolution, if we pass this resolution and they do get some of their money or all of their money, that is going to prejudice this Council in it's evaluation on how we should vote on this projected sale. I don't think we can let anything interfere with us at this present time to make a proper, fair, logical evaluation as to whether or not this contract should go from Warner Cable to TCI. We could be influenced at a later point in time by passing this resolution if we do that.

Michelle Madoff:

Mr. Robinson, do I understand you clearly that your understanding is that a deal has been cut already with the parties involved, that it will be a $2.4 million payoff to the 17 communities? I heard the same thing several months ago so your information is very accurate. As a matter of fact, I didn't think it was going to be that much. I took a guess at the amount and I assumed it to be about $2 million and was told it was less than that so I guess somehow in negotiations it's gone up to that.

I did not know until recently that the amount of money that Warner is claiming that they have put into the system and they're now going belly-up and they just want out. My figure was something like $92 million. I understand the true figure is now $116 million. My position which is irrefutable and is not going to budget one iota is that I don't care who runs the cable at this point — I think people have to have a cable system simply because a lot of people have no reception — is that we must give everybody the right to be connected who wishes to be connected. The figure for that will be approximately $1 million according to PTCI, and I just heard that term, it's called Pittsburgh TCI, and my feelings are that even if it turns out to be $2 million and not $1 million, when you're talking about a $116 million loss what's $2 million more if it's going to allow you to salvage something and get out. The thing gets down to salvage something and that gets out to what can you settle for? Something is only as good — You can buy a painting for $500,000 but if somebody only wants to give you $50,000 that's all it's worth.

Mr. Wagner has stated repeatedly in this Council that he doesn't believe we will be stampeded. He says as a Councilmember he is not going to be stampeded. Is that correct? He mentioned that at the last Council meeting and I got in my car and turned on one of the talk shows and guess what I heard? Mr. Marvin Fein on the air and Mr. Fein said, and I'll try to be as accurate as I can, that PTCI has until October 31st to make a decision. Do you know what the date is today folks? It's the 8th. From now until the 31st of October because PTCI is looking at other cities. They're looking to see whether they're going to buy Cincinatti or Cleveland or some other things that he mentioned on the air and if they don't get Pittsburgh, well, they are looking elsewhere and we're just going to lose the opportunity to sell this system. Tell me we're not being stampeded. It's the same game all over again.

The reason Bill Robinson and Michelle Madoff and others on this Council, — I don't recall who they were, I think Councilman O'Malley but I'm not sure — have been asking for information for months, I know Mr. Givens has —

Mr. Givens:

You're getting it.

Michelle Madoff:

Yes, we're getting it. You sound like you're representing them, baby.

Mr. Givens:

Number one, I am not baby to you —

Michelle Madoff:

I apologize for that.

Mr. Givens:

Thank you, and number two, I am Chairman of that committee and they've been under deliberations for a number of —

Michelle Madoff:

Yes, but you're very concerned that we make a quick decision.

The Chair:

Michelle, let's deal with the issue and stay off of other —

Michelle Madoff:

Other Councilmembers who brought up the issue are concerned that we will make a quick decision. I share Mr. Wagner's concern that we not be stampeded and therefore those of us who asked early on, months ago like Mr. Robinson and myself, for data didn't get it. Now we have Mr. Fein saying, "We don't have the material ourselves and both PTCI and Warner don't have it and we'll give it to you as fast as we can get it.

The Chair:

Stay with the issue.

Michelle Madoff:

This is the issue. I'm on the issue.

The Chair:

I don't want to argue the whole cable issue. We're only dealing with Warner —

Michelle Madoff:

I think people understand what I'm saying, Mr. Stone. I think my colleagues understand very clearly what I'm saying.

The Chair:

I would like for you to get to the issue of the resolution.

Michelle Madoff:

The issue of the resolution is that we are going to be stampeded from the 8th until the 31st, Halloween. And it will be Halloween. It will be costumes. We're going to have to make a decision as to whether this City will have cable or they'll be shut off. It is not inappropriate for Mr. Robinson to stand up right now and say whatever the sale price is, if they own 20 percent of it, they own 20 percent of it. If you own 20 percent of something and it was sold would you want your 20 percent, Mr. Stone? That's the issue. I support you, Mr. Robinson.

Mr. Robinson:

Thank you.

Mr. Woods:

The reason I have no objections to this resolution is that I don't believe it's in our power, if these 17 groups turned around today and said listen, to TCI, we will sell you 20 percent, our stock which

is worth 20 percent of the company, I don't think that this Council could stop that. That's why I feel there's no harm in this resolution that Councilman Robinson is putting forth today.

Mr. Givens:

Mr. President, I was somewhat along the same line. Looking in and knowing that this is a serious matter and Bill's resolution is a resolution of intent for Council to put their muscle power behind these deliberations. However, in looking into this in a legal opinion and the jurisdiction, the transfer of ownership under 3 percent, unless you have more than 3 percent, you're really not in a position to argue. So, the stock owners do not need Council approval and I think that has been brought out here today. No one of these 17 groups owe more than 2.75 percent of the total stock. So, again, that 3 percent figure crops back up again. Each one of these are free to buy and sell as they see fit without Council's involvement. However, I appreciate what Bill is trying to say. It's not law that he is putting here; it's a resolution of intent that the $2.4 million that's in that, contractual agreement, that they will come forth with that. I think the answer is legally the City can't get involved between two corporations. That's what it boils down to, Bill. But by this resolution I think we will show intent that we want them to follow through. But what happens after the sale and everyone goes their own way, I really don't know other than there's a company that we have to live here with, whoever buys Warner Cable.

I did not like the remarks that Michelle made that I'm leading the show. I only happen to be the Director of the department that's in charge of cable. I'm trying to bring that to the Council in an orderly fashion. You will have that information to you this Tuesday and between yourself, Mr. President, and other members of Council, try to set up some type of logical debate where we can all sit down after we review this information and listen to the Cable Advisory Committee and all the major principles that are involved in this cable to make sure that the citizens out there that are the recipients of this information system as well as television system is given the fairest shake possible, knowing in two years that we won't have much to say at all about what goes on, it will be a free enterprise system; that is, cable will regulate itself other than giving us the 5 percent to monitor their activities as must be.

I'm in support of the resolution and I think all Council should be in support of the resolution. An agreement was made four years ago. Part of that agreement, I felt, was going to be the downfall of the company. I think that among other things brought into the downfall of Warner Cable. No system could have come in and gave away as they did. I have to say this justifiably that four years ago I said that this company will not survive because they had too many, I wouldn't say give-aways but just too many things that the profit was not there for the cost of the corporation and even over and above that. I think there's something due these 17 different minorities from all phases and from all walks of life and that for the four and a half years that they felt something was there that Warner has made a commitment and will they honor that commitment as something that we will see in the future.

The Chair:

Roll call vote.

Michelle Madoff:

Today is the 8th, tomorrow we are meeting with Warner which is the 9th. We don't get back to discuss the bill until Wednesday, is that correct, Mr. Stone?

The Chair:

We're voting now on this resolution.

Michelle Madoff:

We'll discuss the bill on Wednesday. That leaves us approximately 19 to 20 days to make a decision on Warner. We have been stampeded again and, therefore, I believe that any member of this Council who own 20 percent of any contract would be entitled to their 20 percent. I wish that the people would decide whether Councilman Givens or Councilwoman Masloff were responsible but I would have like to have had this resolved before Council two months ago.

Mrs. Masloff:

Since the resolution states, "encourages" Warner Cable, I vote aye.

Mr. O'Malley:

I'm going to vote aye but I think the resolution, in all honesty, offers false hope. I think the resolution offers nothing. It certainly doesn't offer any reality to the issue. The reality to the issue is that if TCI cannot meet the deadline by October 31st, they might cancel the deal with Warner. If TCI cancels the deal with Warner, then the minorities, the 17 minority organizations that Mr. Robinson is so worried about, will end up losing the $2.4 million. And that's the bottom line. If this Council was so worried then what's to insure that the minority community gets the $2.4 million they're entitled to and we should encourage to bring the deal between Warner and TCI to conclusion as fast as possible and certainly before the October 31st deadline.

If this deal falls through and the minority community loses the $2 million, then the blame falls on those Councilmembers, in my estimation, the blame falls on those Councilmembers that held up the deal between these two companies.

Mr. Wagner:

I vote no and I'd like to explain my vote. We are assuming, number one, that the sale of this system will take place, without properly knowing whether or not the conditions of the sale are acceptable to the City of Pittsburgh, without every having a meeting with the Cable Advisory Board, and this issue has been in front of us for six months. Six months and this Council has still not had a meeting with the Cable Advisory Board. Without having a meeting with the Director of Communications, Brother Richard, this issue has been in front of us for six months and we still have not had a meeting of that. Without knowing what 20 percent ownership of this system actually is. Is it $2.4 million or is it $18 million? We don't know.

I think by voting positive for this resolution we are encouraging the sale of this system to TCI without having all the proper data necessary to evaluate whether or not this system should be sold to TCI and whether or not the conditions of sale of this system are proper. I personally do not want to state at this point in time that I am going to vote for or against the sale of that system. I think by passing this resolution we are saying that this system, the proposed sale is over, this Council is going to approve it. This is a clear indication to

me if the vote takes place tomorrow or it takes place in three weeks, this system has been sold to TCI. I vote no.

Mr. O'Malley:

Mr. Chairman, I'd like to change my vote to a no vote also. I don't want to offer any false hope to these 17 minority groups because if the sale or transfer does not go through they're going to lose their $2.4 million.

Mr. Woods:

I vote aye for the reasons I stated. I believe that these 17 groups can sell their 20 percent share to anybody they want right now without Council's approval. If they want to sell it to TCI or Joe Blow on the street for $1.00 they can sell it, let alone $2.4 million. I am not assuming anything. I'm not assuming that this franchise is sold. I am just like all other eight of my colleagues. I'm going to read all the documents, I've been reading them. No one has gotten my vote and this resolution does not say that it has my vote. Please, I do not want anyone assuming that Ben Woods is already guaranteed his vote by saying that these 17 groups can sell their 20 percent share for $2.4 million, $5 million of $5.00. That's their right to sell it for whatever they want to sell it for. That's why I'm voting yes for this resolution.

The Chair:

The Chair is voting yes for the reason that that percentage in a corporation which doesn't look very fruitful in the future is able between majority and minority shareholders. As a practical matter however to encourage the monies to be paid before the actual transfer, the Chair does not see that as being practical and I must however be honest. If they can get the money in front, fine. It's very doubtful; I think it's tied in to knowing business people the way I do. More than likely nothing will happen until and if there is a transfer.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Woods
Michelle Madoff	Mr. Stone
Mrs. Masloff	(Pres't)

AYES 7 NOES 2

(MR. O'MALLEY AND MR. WAGNER VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Mr. Wagner presents

Bill No. 1532 WHEREAS, businessman Richard Achter recently purchased property on Boggs Avenue in Mount Washington for the operation of his commercial printing company; and

WHEREAS this site, formerly known as the old Zion Church, and later a veterans hall, housed four bronzed plaques which contained the names of the men and women in the 19th Ward who served their country during World War II; and

WHEREAS, Guy Glasso, the realtor responsible for the sale of the

building, was deeply disturbed over the fate of the plaques, and asked Mr. Achter to agree to spare the plaques until some place in the community could be found for them; and

WHEREAS, Mr. Achter not only agreed to spare the bronze plaques, but preserved them, refurbished them, and built, at his own expense, a permanent home for them next to the old church.

NOW THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City Council hereby recognize and commend Mr. Richard Achter for the strong sense of community involvement he displayed in preserving and housing the 19th Ward Veterans Memorial Plaques; Realtor Guy Glasso, for his deep concern for the future of these plaques; and Committeeman Joe Dabecco for his role in coordinating neighborhood celebration in honor of this great deed. And this Council wishes to thank these men for fostering and perpetuating our cultural heritage and enhancing community pride in the City of Pittsburgh.

Mr. Wagner moved to adopt the resolution.

Mr. Woods seconded the motion.

Which motion prevailed.

Mr. Wagner:

Mr. President and members of Council, I'd like to state very briefly that the dedication of this 19th Ward Memorial celebrati for Mount Washington, Brooklin· ıd Beechview took place on Septemt r 29th. Two Councilmembers, Councilman Grabowski and Councilman Woods were there along with myself. Mr. Achter has done an excellent job. He has taken his own personal money to revive an old monument. The finished product is beautiful and I will be presenting this resolution to him personally in the near future.

The Chair:

The Chair would like to make a comment at this time and for those of you who have made presentations, please understand that it's not intended as personal. The Chair is mindful that it's now quarter of three and we have not even begun today's agenda. Unless there's any strong objections in the future, and I'm announcing it now for that reason, I think we'll have to take our presentation of resolutions at the same time on the agenda where it was. What's been happening recently is we do the resolutions in advance, we delay the whole meeting and toward the end we're even getting to the point of whether we still have a quorum left. So, I'm saying that unless there's some extreme emergency, we will have all resolutions in the proper place, under Motions and Resolutions, in the future on the agenda.

Mr. Givens presented

No. 1493 Resolution granting unto William J. Wiessenfeld, 1734 Hallowell Street, 31st Ward his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a sewer line portion of the right-of-way in Anartic Way in the 31st Ward of the City of Pittsburgh.

Which was read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 1494 Amendment to Rule II of the Rules of Council which will impose a fine of $1,000.00 to any

member of Council not present at any regular or duly called special meeting of Council if not excused.

Which was read and referred to the Committee on Finance.

Michelle Madoff presented

No. 1495 Communication from Daryl H. Smith, Director, Dept. of Water, requesting authorization for Pasquale Ciccone and Melvin Koedel to attend a Customer Service Seminar in Greentree, Pa., on November 1, 1984, at a cost not to exceed $200.00, payable from Code Account No. 1930, Misc. Services.

Which was read and referred to the Committee on Water.

Mrs. Masloff presented

No. 1496 Resolution providing for an easement and right-of-way, under, across, and over property of City of Pittsburgh to Western Pa. Water Company, for property fronting on Crane Avenue containing 9.41 acres, located in the 20th Ward of the City of Pittsburgh.

Which was read and referred to the Committee on Parks and Recreation.

Mrs. Masloff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Michelle Madoff seconded the motion.

Which motion prevailed.

Also,

No. 1497 Resolution authorizing the issuance of a warrant in favor of Jurgen Schulz, Animal Dealer in the amount of $2,400.00 in payment for transporting one female Reticulating Giraffe from the Erie Zoo to the Pittsburgh Zoo and one female River Hippopotamus from the Pittsburgh Zoo to the Grand Prairie Zoo near Fort Worth, Texas, payable from Pittsburgh Zoo Membership Trust Fund PZMTF, Index Code 253757, Dept. of Parks and Recreation. Prior approval granted by Council September 27, 1984.

Also,

No. 1498 Resolution authorizing the issuance of a warrant in favor of the Erie Zoo in the amount of $7,500.00 in payment for one Giraffe delivered to the Pittsburgh Zoo, payable from Pittsburgh Zoo Membership Trust Fund, PZMTF, Index Code 253757, Dept. of Parks and Recreation. Prior approval granted by Council September 21, 1984.

Also,

No. 1499 Resolution authorizing the issuance of a warrant in favor of Jurgen Schulz in the amount of $30,000.00 in payment for three Giraffes delivered to the Pittsburgh Zoo, payable from Pittsburgh Zoo Membership Trust Fund PZMTF, Index Code 253757, Dept. of Parks and Recreation. Prior approval granted by Council September 21, 1984.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1500 · Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting authorization for Alexis W. Merritt to attend a Grant Proposal Workshop in Washington, D.C., on October 21-25, 1984, at a cost not to exceed $825.00, payable from Code Account No. 1838,

Misc. Services.

Also,

No. 1501 Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting authorization for Dr. Robert A. Wagner to attend the Annual Conference of the American Association of Zoo Veterinarians in Louiseville, Kentucky, on October 15-18, 1984, at a cost not to exceed $910.00, payable from Code Account No. 1852, Misc. Services. Prior approval granted by Council, September 26. 1984.

Which were read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 1502 Communication from Charles Lewis, Chief, Dept. of Fire, requesting authorization for Deputy Chief Eugene Thomas and Battalion Chief Robert Conley to attend a Hazardous Materials Training Course in Edison, N.J., on October 28 through November 2, 1984, at a cost not to exceed $1,100.00, payable from Code Account No. 1463, Misc. Services. Permission is also requested for use of a City Fire Department vehicle.

Also,

No. 1503 Communication from Charles Lewis, Chief, Dept. of Fire, requesting authorization for Deputy Chief John Moran to attend a National Fire Academy Training Program in Emitsburg, Maryland, on November 14-17, 1984, at a cost not to exceed $50.00, payable from Code Account No. 1463, Misc. Services.

Which were read and referred to the Committee on Public Safety.

Mr. Robinson presented

No. 1504 An Ordinance providing for withdrawal and divestment and the prohibition of investment of public money controlled by the City of Pittsburgh which is deposited in or invested in any bank or other financial institution which directly or indirectly supports the apartheid government of the Republic of South Africa through the granting of loans. **—(SPONSORED BY MR. ROBINSON)**

Also,

No. 1505 An Ordinance providing for the withdrawal and divestment and the prohibition of investment of public money controlled by the City of Pittsburgh which is deposited in or invested in any bank or other financial institution which directly or indirectly supports the apartheid government of the Republic of South Africa through the granting of loans. **—(SPONSORED BY MR. ROBINSON)**

Also,

No. 1506 An Ordinance providing for the withdrawal and divestment and the prohibition of investment of public money controlled by the City of Pittsburgh which is deposited in or invested in any bank or other financial institution which directly or indirectly supports the apartheid governments of the Republic of South Africa or Namibia through the granting of loans. **—(SPONSORED BY MR. ROBINSON)**

Also,

No. 1507 An Ordinance providing for the divestment of and prohibition of fufure investment of public money controlled by the City of Pittsburgh in U.S. companies actually operating in the Republic of South Africa and providing

that the City of Pittsburgh shall not enter into contractual agreements with individuals or companies which themselves have contractual agreements to provide goods or services which directly or indirectly support the apartheid government of the Republic of South Africa. —**(SPONSORED BY MR. ROBINSON)**

Also,

No. 1508 An Ordinance providing for the divestment of and prohibition of future investment of public money controlled by the City of Pittsburgh in U.S. companies actually operating in the Republic of South Africa which are not signatories in good standing to the Sullivan Principles and providing that the City of Pittsburgh shall not enter into contractual agreements with individuals or companies which themselves have contractual agreements to provide goods or services which directly or indirectly support the apartheid government of the Republic of South Africa. — **(SPONSORED BY MR. ROBINSON)**

Also,

No. 1509 An Ordinance providing for the divestment of and prohibition of future investment of public money controlled by the City of Pittsburgh in U.S companies actually operating in the Republic of South Africa or Namibia and providing that the City of Pittsburgh shall not enter into contractual agreements with individuals or companies which themselves have contractual agreements to provide goods or services which directly or indirectly support the apartheid governments of the Republic of South Africa or Namibia. — **(SPONSORED BY MR. ROBINSON)**

Which were severally read and referred to the Committee on Finance.

Also,

No. 1510 Resolution requiring the Mayor, Director of Public Works, Superintendent of the Bureau of Cable Communications and the City Solicitor to secure the services of a Professional Cable Communications Consultant. — **(SPONSORED BY MR. ROBINSON)**

Which was read and referred to the Committee on Public Works.

Also,

No. 1511 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 11, by changing from "M2" Limited Industrial District to "R4" Multiple-Family Residence District certain property located on the southerly side of CENTRE AVENUE presently improved with a seven-story building known as the Papercraft Building, 7th Ward.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Woods seconded the motion.

Which motion prevailed.

Also,

No. 1512 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, District Map No. 8, by changing from "RP" Planned-Residential Unit Development District to "S" Special District certain property known as "Seldom Seen" located southwest of SAW MILL RUN BOULEVARD generally between WOODRUFF STREET and

CRANE AVENUE, 19th & 20th Wards.

Also,

No. 1513 Resolution further amending Res. No. 1385, "Adopting & approving the 1983 Capital Budget", and amending Section 10 of Res. No. 167, eff. March 7, 1983, as amended by Res. No. 394, and Res. No. 692 of 1983, entitled: "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Dept. of Housing & Urban Development for a grant in connection with the 1983 Community Development Block Grant Program," by reducing line item UR-83-20, "Neighborhood Commercial Revitalization - Public Space Improvements" from $123,000.00 to $23,000.00; and increasing line item PW-83-36 "Warrington Avenue" from $20,000.00 to $120,000.00.

Also,

No. 1514 Resolution providing for the issuance of Certificates of Appropriateness for exterior work on A. Market Square Historic District, B. Mexican War Streets Historic District, and C. Manchester Historic District.

Also,

No. 1515 Resolution providing for the implementation of a Residential Sticker Parking Program in the East Allegheny community pursuant to Pittsburgh Code, Chapter 549.06.

Also,

No. 1516 Communication from Robert H. Lurcott, Director, Dept. of City Planning, requesting authorization for himself to attend a Real Estate Development Analysis Conference in Boston, Mass., from November 6-9, 1984, at a cost not to exceed $1,390.00, payable from Code Account No. 4-35-01-0012-84-49-84-35.

Also,

No. 1517 Communication from Robert H. Lurcott, Director, Dept. of City Planning, requesting authorization for Bruce E. Barnes, Susan Barclay, John Rahaim and Steve Branca to attend a HUD Training Session in Pittsburgh, PA, on November 13-15, 1984, at a cost not to exceed $750.00, payable from 1984-CDPA, Project No. 4-35-01-0012-84-49-84-35.

Also,

No. 1518 Communication from Robert H. Lurcott, Director, Dept. of City Planning, requesting authorization for Caroline Boyce to attend a Historic Preservation Planner Meeting in Washington, D.C., on June 22, 1984, at a cost not to exceed $208.00, payable from CD-PA-1984, Project No. 4-35-01-0012-84-49-84-35. Prior approval granted by Council June 13, 1984.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 1519 Resolution providing for the issuance of the following warrants: Nello Construction Company in the amount of $139,173.35 and Imperial Floor and Drape, Inc. in the amount of $17,714.69, in payment for Emergency Contracts furnished for the benefit of the City in connection with the Renovation of City Council Offices, Phase II, chargeable to and payable from Code Account LB84-18, 4-13-92-2070-84, Index Code No. 351312, City Council Offices Rehabilitation. Prior approval granted by Council, August 13, 1984.

Also,

No. 1520 Resolution providing for the issuance of a warrant in favor of Domenic Parente Contractors, Inc., in the amount of $69,286.24, in payment for an Emergency Contract for the replacement of waterlines and appurtenances on Torley Street from Pearl Street to Friendship Avenue, chargeable to and payable from Code Account WD-84-08, 4-13-54-1055-84, Waterline Work, Index Code No. 313759. Prior approval granted by Council February 24, 1984.

Which were read and referred to the Committee on Finance.

Mr. Woods presented

No. 1521 Resolution providing for the transfer of funds in the amount of $500.00 from Code Account 1020, Index Code 102004, Equipment to Code Account 1018, Index Code 101808, Supplies Account, Office of the Mayor.

Which was read and referred to the Committee on Finance.

Also,

No. 1522 Resolution providing for an Agreement or Agreements between the City of Pittsburgh and the Salvation Army for "Aid to the Homeless", at a cost not to exceed $35,000.00, chargeable to and payable from the 1980 Community Development Block Grant Program, Dept. of City Planning (CP-80-12) "Aid to the Homeless", Project No. 4-35-05-3500-80-191-80-35. —**(SPONSORED BY MR. WOODS)**

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 1523 Communication from Dante R. Pellegrini, City Solicitor, requesting authorization for himself to participate in a course sponsored by the Pennsylvania Bar Institute at Valley Forge, PA, on November 2, 1984, and in Harrisburg, PA, on November 20, 1984, at no cost to the City.

Which was read and referred to the Committee on Finance.

The Chair presented

No. 1524 Resolution providing for an Agreement or Agreements with Youth City of Pittsburgh, Inc., for services relative to providing a Thanksgiving dinner for needy people, at a cost not to exceed $1,500.00, chargeable to and payable from Code Account No. 1838 (183806), Misc. Services, Dept. of Parks and Recreation; and transferring the sum of $1,500.00 from Code Account No. 10, Accounts Payable, Prior Years, to Code Account No. 1838, Misc. Services, Dept. of Parks and Recreation.
—**(SPONSORED BY MR. STONE)**

Which was read and referred to the Committee on Parks and Recreation.

UNFINISHED BUSINESS

The Chair presents

No. 1450 Resolution approving the appointment by the Mayor of Miss Judith H. Veres of 340 Amabell Street, Pittsburgh, PA 15211, be and the same is hereby approved and confirmed as a member of the Board of Code Review for a term to expire December, 1987.

Which was read.

Mr. Woods moved to approve the appointment.

Mr. Givens seconded the motion.

Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 1525

Report of the Committee on Finance for October 3, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1378

A Resolution entitled, "Resolution transferring the sum of $25,000.00, between code accounts within the Department of City Controller."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1398

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of James L. Smith Insurance Agency in the amount of $65,023.00 for fire and supplemental and boiler insurance without previous authority of law."

Which was read.

Mr. Robinson:

Mr. President and members of Council, on Council Bill 1398, last Wednesday Director Jacoby, Director of our Department of General Services, indicated that at today's Council session he would have a copy of the request for proposal that was issued relative to the fire insurance in question and also a list of the companies that were sent that request for proposal. Unless the Assistant City Clerk has a copy of that information, I haven't seen it and I don't know if any other member of Council has seen it.

I think it would be appropriate then to make a motion to recommit this bill so we can find out on Wednesday if Mr. Jacoby has that information. I make the motion.

Mr. O'Malley seconded the motion.

Mr. Woods:

Discussion on the motion. I think he did state he would try to get the list because it was a three year contract and he was not the Director of Supplies, now General Services, at that time. I would hate to recommit this bill. We owe the $65,000 to this agency; they paid it out of their pocket and if they would not have paid it our policy would have lapsed

and we would have lost over a quarter of a million dollars and the cost is not in yet at the waterworks fire we had here about two months ago. If this company had not put this money out of their own pocket in January we would not have had that policy. So, they saved the taxpayers of the City of Pittsburgh well over a quarter of a million dollars.

I'd like to ask my colleagues, Mr. Robinson and Mr. O'Malley, to reconsider their motion and we could get this information.

Mr. Robinson:

Mr. President and members of Council, I appreciate Mr. Woods' concern and certainly any money that's owed to the James L. Smith Insurance Agency should be paid to them. I am concerned that Mr. Smith or someone in his agency felt the necessity to pay $65,023 out of their own funds for insurance to cover the City. It seems to me that we have appropriate mechanisms to do that.

Two, as far as Director Jacoby not being the Director three years ago, I can appreciate that but it would seem to me that there would be files in his department and also documents in the City Solicitor's Office which would let us know with whom we're doing business. The questions that were raised last Wednesday I think were substantive questions and certainly if Director Jacoby was unable to get that information he should have at least informed Councilman Grabowski. I'm presuming that he did not inform Councilman Grabowski nor any other member of this Council that the information was unavailable even though he did indicate that he would have that information for us today. It is not here and I don't believe Director Jacoby is here.

It just seems to me inappropriate to move forward at this point without some questions being resolved.

Mr. O'Malley:

I agree with my colleague, Councilman Robinson. There doesn't seem to be any urgency on this bill for the simple reason Mr. Jacoby had five days to get a member of Council some information that he requested. If Mr. Jacoby didn't feel the urgency that he had five days, evidently I don't think there's any reason to rush this bill through. I think the request to hold it for a week is certainly reasonable.

Mr. Woods:

This particular agency had a three year contract and, as all of my colleagues know, the City is poor pay. They pay eventually but it takes eight or nine months, sometimes a year. I'm sure all of my colleagues have gotten calls from different vendors asking for their money. It's a good thing, knowing that he had a three year contract, that this individual agency forwarded that money to the carrier. They've been out of that money and this is the ninth month. For us to hold it any longer — This is just the legislation and now we know what process it goes through from here. It might be another month and a half before they get their money if we would even pass it today. I think that we are wrong over the error of Mr. Jacoby not forwarding that information to this Council to hold this individual's money when it could have been a lot worse. Maybe that's what will happen in the future; maybe the taxpayers of this City will really get hurt because we hold legislation such as this. A man like this will not put up his money anymore for a three year contract and we'd have been out over a quarter of a million dollars.

I urge all my colleagues, if they will not withdraw their motion, I urge the rest of my colleagues to vote that motion down.

Mr. Robinson:

Mr. President, I appreciate again Mr. Woods' comments. I think he's missing a couple important factors. It should not be necessary for any vendor that does business with the City of Pittsburgh to take money out of his or her pocket to pay our obligations. Again, I appreciate Mr. Smith's diligence in doing that and protecting the City but I'm wondering why Mr. Smith who had a three year contract, signed, sealed and delivered, a gentleman who is in the insurance business and certainly does enough municipal work, that he shouldn't have had to do this. He should have been able to contact the appropriate people, either through his legal counsel or through his professional contacts, to inform the City that our policies were going lapse and that $65,023 was necessary.

For Mr. Smith to have paid this money out of his own account without authorization of the City, while it may appear to be a savings to us and perhaps he picked up some slack that we had, I think that it's inappropriate for us to encourage this kind of activity and further it's inappropriate for us not to hold our directors responsible, the previous directors and the present directors, to at least provide us with sufficient information before we vote. For Mr. Smith's protection, for our protection, for Mr. Jacoby's protection, I would like to see the information that Mr. Jacoby said that he would make available or I'd like to see something from Mr. Jacoby indicating that it's not available or why he can't make it available to us. This is $65,000 of taxpayers' money and while I can appreciate the fact that by paying this premium Mr. Smith perhaps saved us a quarter of a million dollars, Mr. Smith is not a fortune teller, he had no idea that there would be a fire and I would dare say most insurance premiums that are paid are paid for fire and accidents that never occur.

I still have some serious questions about this whole process and procedure and even more questions about why Mr. Jacoby did not at least try to inform this Council of his inability to produce the information that he assured us he could produce.

The Chair:

Roll call on the motion to recommit.

Mr. Givens:

My vote is no and the reason being is that the City is in such a position to be sued nowadays and this particular insurance has been depicted by our Chairman of Finance indicates the seriousness that if this person did not come forward, the City would have been in jeopardy over a quarter of a million dollars. The reputation of this particular insurance firm is one that has been well known in my nine years here on Council and they have higher integrity. Besides that, he has a lot of kids to feed out there, from what I've been told.

Based on the seriousness of it, Bill, I appreciate your concern and everything else but I think the director might have been pretty busy in some other affairs this past week. I'll excuse him and I would like to move on with this piece of legislation.

Michelle Madoff:

I don't think we can transfer the

sins of the Administration onto Mr. Smith. I have car insurance and one year I got my bill when I was away in August that said we're going to cancel your car insurance because it's a quarterly payment. I pay my insurance by the year and they pay it for me. I don't think we penalize Mr. Smith but I think Mr. Robinson is right on target and this is another example, one more example, of Council being window dressing. When they want our opinion they give it to us. When we ask for information we don't get it. It's just another example of what we're going to be called upon to vote in 19 days on Warner.

Bill, we've got to start getting information. This Council has got to start doing something. I realize that by holding the bill you're trying to force the hand but I think this is a bad time to do it. We really have to pass some kind of resolution out of this Council. We had a motion to pass that somebody from the Administration would be at all our meetings; they're never here. We've got to take other action but not to penalize Mr. Smith. I'm going to vote no.

Mr. O'Malley:

Yes. I think my colleague, Councilman Woods, is mixing apples and oranges. If it's taken nine months to pay vendors in the City of Pittsburgh then that's where the problem is and I suggest we remedy that problem as soon as possible.

I vote yes to sustain the motion to hold it because I think a Councilperson is certainly entitled to information on a piece of legislation that's going to cost $65,000.

Mr. Robinson:

I'm obviously voting aye and the purpose of the motion was not in any way to penalize Mr. Smith. It was to hold this bill, send it back to Committee, so that we would have an opportunity to hear from Mr. Jacoby and also perhaps get some additional information as to the nature of the circumstances surrounding Mr. Smith paying $65,000. If indeed Council does not want to send the bill back to Committee, I'll make some comments at the appropriate time when we actually vote on the bill, but I vote aye for recommittal.

Mr. Wagner:

I vote aye and I'd like to state very quickly that any member of this Council deserves information when requesting information, not only Mr. Robinson but any one of us from any of the directors, and at the very least I feel Mr. Jacoby could have given Mr. Robinson a phone call to verbally give him the information that was requested. I vote aye.

Mr. Woods:

I vote no for the reasons that I stated and believe me, Jim, I know the difference between apples and oranges. I believe that Mr. Jacoby should be the one and I believe all Councilmembers, not just Councilman Robinson or yourself or anybody here, when you ask for information you should get it. But at this time, and this length of time, I do not believe that this individual should be punished more by the Administration than he already has by this late, late payment. That's why I'm voting not to recommit. I vote no.

The Chair:

The Chair has not heard anyone on this Council speak against the payment or speak against the vendor. In view of that, I don't think we should hold it. I do at the same time respect Mr. Robinson's

opportunity to call Mr. Jacoby in on Wednesday for further discussion on it. I vote no.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. O'Malley	Mr. Wagner
Mr. Robinson	
AYES 3	NOES 6

VOTING NO:

Mr. Givens	Mrs. Masloff
Mr. Grabowski	Mr. Woods
Michelle Madoff	Mr. Stone (Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

The Chair:

On the bill itself?

Mr. O'Malley:

I vote no on Bill 1398 because if there are some irregularities on this bill and that this Council is not made aware of those irregularities because Mr. Robinson was not entitled to the information he requested.

Mr. Robinson:

So as not to mix apples and oranges, I would like to indicate that I think it might be wise for Council to entertain legislation that would prohibit the kinds of payments that Mr. Smith made. While I am very appreciative of the kind of service that he provides the people of the City of Pittsburgh, I think it's inappropriate to have other people pay our bills. As Mr. Smith and other, I'm sure, civic-minded vendors won't get themselves into the bind that Mr. Smith has gotten himself into, I believe that legislation should be considered to prohibit this kind of activity and prohibit it to the extent that vendors understand that where they pay our bills they pay them at their own risk and they run the risk of not being paid. The process that Mr. Smith utilized unfortunately opens itself up to a number of situations where he might end up holding the tab for $65,000. I certainly wouldn't want to do anything to jeopardize Mr. Smith or his family, particularly his children, but by the same token, I think my primary obligation is to protect the people of the City of Pittsburgh. Hopefully my statements and my interest is viewed in light of my interest in protecting the people of the City of Pittsburgh and in no way is this a reflection upon the integrity of Mr. Smith.

Mr. Wagner:

I abstain on Bill 1398 because of the lack of information that was provided on that piece of legislation requested by a Councilmember.

Mr. Wagner:

I agree with you, Councilman Robinson, there should be legislation to prevent this type of thing in the future and I will wholeheartedly support it. I'm glad now that my two colleagues know the difference between apples and oranges as I do.

The Chair:

As the Chair stated earlier, I heard nothing that seemed to indicate that anyone is against the payment not the vendor. I just need to remind, however, Councilmembers that we need not enact any other legislation because anyone that spends City money without authority has no authority and therefore we're not obligation to pay. That's the nature of the bill before us. If we didn't pass it, what he paid would be at his risk, as would all vendors.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mrs. Masloff
Mr. Grabowski	Mr. Woods
Michelle Madoff	Mr. Stone (Pres't)

AYES 6 NOES 2

(MR. O'MALLEY AND MR. ROBINSON VOTING NO)

(MR. WAGNER ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Mr. Robinson:

Mr. President, with you permission I'd like to have Mr. Jacoby come on Wednesday so that he might share with us —

The Chair:

I don't see a problem there.

Mr. Robinson:

Thank you.

Also,

Bill No. 1399

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Douglas Industries, Incorporated in the amount of Three Thousand ($3,000.00) dollars, furnished for the benefit of the City without previous authority of law, chargeable to and payable from Code Account, Special Parks Program Trust Fund (SPPTF) (254359)."

Which was read.

Also,

Bill No. 1400

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Pete Jeffrey and Associates, Incorporated in the amount of $4,092.00 in payment for work performed at the Warrington and Northview Heights Recreation Centers, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1401

A Resolution entitled, "Resolution transferring the sum of $10,000.00 from Code Account No. 1457 (145706), Purchase of Uniforms and Equipment, Department of Police, to Code Account No. 1449 (144907), Supplies, Department of Police."

Which was read.

Also,

Bill No. 1402

A Resolution entitled, "Resolution transferring the sum of $5,000.00 from Code Account No. 57 (005702), Social Security Fund, to Code Account No. 32 (003202), Refunds, Protest Towing, and Storage Charges."

Which was read.

Also,

Bill No. 1403

A Resolution entitled, "Resolution transferring the sum of one hundred twenty-one thousand dollars ($121,000.00) from Code Account No. 57-1, Index Code No. 005710, Retirement Severance Pay-Sick Leave, to Code Account No. 1468, Index Code No. 146803, Equipment, Fire Department."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1423

A Resolution entitled, "Resolution providing for the issuance of a warrant to Ted Wallace, in care of Robert C. Gallo, Esquire, Suite 600, 100 Wood Street Building, Pittsburgh, Pennsylvania 15222 in the amount of $3,000.00 in full settlement of a claim for property damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1424

A Resolution entitled, "Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 514, as amended, and providing for the forfeiture of hand money."

Which was read.

Also,

Bill No. 1425

A Resolution entitled, "Resolution Repealing Item C of Resolution No. 229, approved April 3, 1984, which authorized the sale of property in the 4th Ward, being a 2 Story, Brick hosue, located at 146 Robinson Street, designated as Block 28-E, Lot 155, to Sandra M. & Marla M. Oliver, for the sum of $10,000.00."

Which was read.

Also,

Bill No. 1426

A Resolution entitled, "Resolution amending Item G of Resolution No. 1062, approved December 6, 1983, which authorized the sale of property in the 12th Ward, being a 2-1/2 Story Frame house, located at 6907 Hamilton Avenue, designated as Block 125-L, Lot 197, to John F. Ward, for the sum of $12,000.00."

Which was read.

Also,

Bill No. 1427

A Resolution entitled, "Resolution amending Item L of Resolution No. 446, approved June 6, 1984, which authorized the sale of property in the 29th Ward, being vacant land, located on Nuzum Way, designated as Block 95-H-Lot-part 356, to Robert P. Nath and Rosina T. Nath, his wife, for the sum of $300.00."

Which was read.

Also,

Bill No. 1429

A Resolution entitled, "Resolution amending Item D of Resolution No. 418, approved June 1, 1984, which authorized the sale of property in the 5th Ward, being vacant land on Somers Street, designated as Block 10-L, Lots 131-132-133, to Helen Garrett, for the sum of $1,500.00."

Which was read.

Also,

Bill No. 1430

A Resolution entitled, "Resolution amending Item L of Resolution No. 35, approved February 9, 1984, which authorized the sale of property in the 27th Ward, being vacant land on Flora, Tulia and Textor Streets, designated as Block 115-A, Lots 245-247; Block 115-B, Lots 324-325-326-327-332-335, to Sheila M. Lowe, for the sum of $900.00."

Which was read.

Also,

Bill No. 1431

A Resolution entitled, "Resolution amending Item L of Resolution No. 652, approved August 2, 1984, which authorized the sale of property in the 29th Ward, being vacant land on Nuzum Way, designated as Block 95-H, Lots 348 and part 356, to Robert J. Lippert and Joanne Lippert, his wife, for the sum of $800.00."

Which was read.

Also,

Bill No. 1432

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended."

Which was read.

Also,

Bill No. 1433

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended."

Which was read.

Also,

Bill No. 1475

A Resolution entitled, "Resolution transferring two hundred and twenty five thousand dollars ($225,000.00) from Code Account 45, Index Code 004507, Health Insurance, Municipal Employees, Department of Finance to Code Account 30, Index Code 003004, Refunds-All Other Taxes, Department of Finance."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 1526

Report of the Committee on Public Works for October 3, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1395

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the purchase of decals and placards, parking restriction signs, and related supplies; including installation costs, for the approved Residential Sticker Parking Areas, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Robinson presented

Bill No. 1527

Report of the Committee on Planning, Housing and Development for October 3, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1406

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to deliver an amount not to exceed Two Thousand Three Hundred Forty ($2,340.00) Dollars in the form of a grant to Steve Catranel Construction Company, Incorporated, from the Neighborhood Housing Fund for sidewalk replacement work to be performed at 5204, 5208 and 5216 Broad Street in the 10th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1407

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any in and to the publicly owned property in the 21st Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lots: 7-B-211, 22-F-79, 22-F-80, 22-K-291, 22-K-292, 22-L-133, 22-L-137, 22-L-149A, 22-L-173, 22-L-191, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 1408

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Jo E. Ghafor, individually and as administratrix of the Estate of Sarah S. Everett, deceased and designated as Block and Lot 23-G-133 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said propety having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1409

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Ann B. Wofford for the sale of Parcel 84 in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 32 (RESALE FOR REHABILITATION)."

Which was read.

Also,

Bill No. 1410

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopme Authority of Pittsburgh and Most nd Anthony J. Bevilacqua, Bishop he Roman Catholic Diocese of Pittsburgh, Trustee for the Roman Catholic Congregation of St. Benedict the Moor Church, Pittsburgh, Allegheny County, Pennsylvania, for the sale of Parcel 19 in the 3rd Ward of the City of Pittsburgh in a portion of in Redevelopment Area No. 31 (PARKING LOT)."

Which was read.

Also,

Bill No. 1411

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Ebenezer Baptist Church for the sale of Parcels 74 and 75 in the 3rd Ward of the City of Pittsburgh in Redevelopment Area No. 31 (PARKING)."

Which was read.

Also,

Bill No. 1412

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of properties in the City of Pittsburgh (URBAN HOMESTEADING REHABS)."

Which was read.

Also,

Bill No. 1413

A Resolution entitled, "Resolution approving Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the various Redevelopers for the sale of properties for $1.00 per lot as per the Property Management and Maintenance Program (SIDEYARD SALE)."

Which was read.

Also,

Bill No. 1414

A Resolution entitled, "Resolution approving Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and David A. Lynch for the sale of Block 50-L Lot 285 in the 10th Ward of the City of Pittsburgh for $100.00 as per the Property Management and Maintenance Program (PMMP SIDEYARD SALE)."

Which was read.

Also,

Bill No. 1415

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Mary A. Vaugh for the sale of Disposition Parcel 29 in the 13th Ward of the City of Pittsburgh in Redevelopment Area No. 19 (SIDEYARD)."

Which was read.

Also,

Bill No. 1416

A Resolution entitled, "Resolution approving an Agreement by and between the Urban Redevelopment Authority of Pittsburgh and Steve Catranel Construction Company, Incorporated in which Urban Redevelopment Authority of Pittsburgh will provide Financial Assistance to the purchasers of houses to be constructed in the 10th Ward of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Program."

Which was read.

Also,

Bill No. 1417

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and F.C. and Elizabeth M. McDevitt for the sale of Parcel 287 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27 (STORAGE AREA)."

Which was read.

Also,

Bill No. 1418

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Steve Catranel Construction Company, Incorporated for the sale of Block 50-H, Lots 175, 176, 177, and 178, 179 and 180 in the 10th Ward of the City of Pittsburgh (RESIDENTIAL CONSTRUCTION)."

Which was read.

Also,

Bill No. 1419

A Resolution entitled, "Resolution approving exeuction of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of properties in the City of Pittsburgh."

Which was read.

Also,

Bill No. 1420

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Garfield Jubilee Association, Incorporated for the sale of various properties in the 10th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff	Mr. Robinson
Mrs. Masloff	Mr. Wagner
Mr. O'Malley	Mr. Stone (Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 1528

Report of the Committee on General Services for October 3, 1984 transmitting one resolution Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1404

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts for the furnishing and delivery of the following: 100 ea. MSA Low pressure 2216 PSIG, fully wound Composite II cylinders, 45 cu. ft. capacity complete with valve; 40 ea. MSA High Pressure 4500 PSIG, fully wound cylinder 45 cu. ft. complete with valve; 60 ea. MSA High pressure 4500 PSIG fully wound composite cylinder, 88 cu. ft. complete with valve; 23 ea. MSA Pressure Demand Air Mask (SCBA) 4500 with 30 minute composite air bottles, nose cups, and neck strap accessory; and 1 each Eagle Air Compressor, Model 5000-20, 5000 PSI, 45 CFM, and/or with trailer mount, for the Department of Fire, Code Account No. 1468, Index Code No. 146803, and for the payment thereof."

Which was read.

Mr. Wagner:

I'd like my remarks on this bill to be brought forward from last Wednesday's meeting for the Record.

(BEGINNING - MR. WAGNER'S REMARKS ON BILL NO. 1403, COMPANION BILL TO NO. 1404 - WEDNESDAY, 10/3/84)

Mr. Wagner:

In reference to fire insurance, our losses for workmen's compensation for this City is much larger and there's a tremendous difference between a loss of property and a loss of life.

Mr. John Moran
Fire Department:

A loss of life of a firefighter is —

Mr. Wagner:

— is just as significant as the loss of life of a person.

Mr. Moran:

Absolutely. You can't put a premium on a loss of life.

Mr. Wagner:

I guess that brings us to this legislation.

I have a question. Why isn't Chief Lewis here today?

Mr. Moran:

He is undergoing minor surgery today; he expects to be back in the office Monday. It's a problem that he had that pre-empted this problem that came out over the weekend. He has had this problem for some time; he's had some tumors removed.

Mr. Wagner:

This particular legislation of $121,000.00, that is purchasing specifically what and how many?

Mr. Moran:

Overall, we are going to purchase 200 of the lightweight cylinders. That's the fiberglass composit cylinders. The breakdown of those 200 are as follows: 61 hour, 4500 PSI lightweight cylinders, 40 half-hour 4500 PSI cylinders. The reason for the 40 is because we bought 40 masks and we get bottles with them so these are refill bottles for those 40 that we already have. One point should be made that all of the high pressure 4500 series will be in the Downtown area to address the problem that you talked about before.

So, that's a total of 100 of the 4500 series, and there are 100 lightweight 401, which is the one that we use which we have 270 masks, I believe, we're buying 100 lightweight cylinders for those which are 2210 PSI. They are composit pressure masks and that is the state of the art.

Mr. Wagner:

That is the mask that goes with the cylinder?

Mr. Moran:

Yes, that's the mask that goes with the cylinder. In addition, you're also purchasing 23 additional 4500 series masks.

Mr. Wagner:

With this purchase, are we purchasing sufficient numbers to supply our entire Fire Department in the event we have multiple fires or worse situations?

Mr. Moran:

Number one, right now we have more than adequate cylinders but again we're addressing the heavy cylinder. We're trying to phase out the heavy metal cylinders and going to the composit cylinder. But as far as the number of cylinders, we have had enough cylinders to do the job and also in this legislation, if it comes up later on, we are addressing the compressor which gives us two compressors so that we can reach other cylinders very quickly.

Mr. Wagner:

But this one hour cylinder is specifically for the subway?

Mr. Moran:

No, we're going to have them in all the units in what we call the First Batallion which is Downtown simply because the major number of buildings with high occupancy and high levels, the highrise buildings are here. We feel where we start with that problem is right here because we have the subway plus the density of highrise buildings.

Mr. Wagner:

In other words, the one hour cylinder can be used in the highrises, in tunnels, in the subway, wherever?

Mr. Moran:

Our plan is for the Downtown people to carry that. They're going to constantly wear the one hour cylinder because, as Mr. Givens' alluded to, if you're up at 12 or 14 stories you're breathing pretty hard and you're going to breath that mask down pretty heavy.

Mr. Wagner:

How long have one hour cylinders been the state of the art?

Mr. Moran:

They've been available for about two or three years. Again, from a firefighter's standpoint, we are going to be into an educational project because we're going to raise the weight of the mask back up 7 more pounds which we took off their back when we went to composit lightweight cylinders and did away with the steel cylinders. Now we're taking them back up to 34 pounds. We took them down to 27 and now we're going to take them back up to 34. Weight is a very prime consideration when you're working. I think everybody would have to agree with that, but that's the best we can do. That's the best that's available.

Mr. Wagner:

Why is it taking two years to purchase these if they've been the state of the art for that long?

Mr. Moran:

Quite frankly, I was meeting with the Port Authority, they have a safety committee and I've been meeting with them, quite frankly, I'm of the opinion that the Port Authority should have been giving us some money because we are buying these masks primarily to provide proper protection for them. In fact, they supplied through three of these type masks to suburban communities that the PAT runs through, like Dormont and Mt. Lebanon.

Mr. Wagner:

I think that's where our problem is. We're talking about a half hour mask versus an hour mask and we all know with or without that subway we have tunnels in the City, we have highrise buildings that if we send firefighters into them, there is a good possibility that they will need longer than a one half hour supply of air. We're talking about the Port Authority purchasing these cylinders for us and the City for our subway. With or without the Port Authority we still need the cylinders. It's been the state of the art for two years, the Fire Department should have requested the purchase of these cylinders. If they did and we haven't, then there's a serious problem in the City.

To purchase, to spend $121,000.00 is nothing when it comes to safety. You can have one firefighter that goes on total disability for the rest of his life and

it will cost us at least a quarter of a million dollars or more. So, I don't think we should be looking for other sources of revenue, for other ways to purchase equipment, or giving our firefighters the option to purchase the type of safety equipment that they think is best. We should be dictating as a professional fire department what should be purchased and what must be purchased.

This Council will back you 100 percent and we just want that message to get out to the Department, to the public, because if injuries come down the line within the Fire Department, the fatalities on the fire due to the lack of proper safety equipment, this Council is going to be extremely irritated and concerned about it. We just want you to know that we are prepared to spend the types of dollars necessary to protect our firefighters.

Mr. Moran:

The passage of this legislation and the legislation that permits us later on in the agenda here to buy these things, quite frankly, I think at this point is a reasonable purchase. I don't agree that we have been derelict in not purchasing the one hour cylinders because I don't think that you realize, number one, a one hour cylinder or a half hour cylinder never lasts that long. Depending on the individual and the amount of activity and everything like that, we have clocked our people at probably 20 minutes and in very heavy stress maybe 10. When we're talking about an hour cylinder we're probably taking about a half hour under very stressful working conditions. Now, don't we add to the stress when we add 7 pounds to their backs?

There's some considerations and I'm not going to defend, but I think really I have a problem with the assertion that there was some dereliction there. I think everybody is waiting for one service that doesn't get any research and development is the fire service because there's not a market for it. There's not enough money in it for them to develop lightweight materials and everything like that. We weighed it in the other day. It was 140 pounds. We put all this equipment that we're talking about and we got them up to 240. We're going to add another 7 pounds on to them and it's going to debilitate their air supply much quicker than what we're talking about.

Mr. Wagner:

We could get into a debate on that but the firefighters' are no longer carrying 100 pounds, they're now dragging it so they can throw another 7 pounds on their back.

Mr. Moran:

I agree with you.

Mr. Wagner:

Getting back to the point of a half hour versus an hour cylinder, if a half hour is only 20 minutes or 15 minutes, that certainly indicates to me that yes, we need an hour cylinder even if it does weight 7 pounds for 15 pounds or whatever more.

Mr. Moran:

I don't agree with you.

Mr. Wagner:

That's okay but the only point I want to make is, the National Fire Protection Association which recommends certain standards —

Mr. Moran:

And they don't recommend one

hour cylinders. It's not in their standard.

Mr. Wagner:

But there's a state of the art and we'd like to see the Fire Department follow.

Thank you.

(END - MR. WAGNER'S REMARKS ON BILL NO. 1403, COMPANION BILL TO NO. 1404 - WEDNESDAY, 10/3/84)

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 1529

Report of the Committee on Engineering and Construction for October 3, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1422

A Resolution entitled, "Resolution further amending Resolution No. 627, effective August 1, 1983, as amended by Resolution No. 1196, effective December 31, 1983, entitled: 'Providing for a Contract or Contracts or the use of existing Contracts and Agreement or Agreements or the use of existing Agreements, for the rehabilitation of Riverview Pool,' by increasing the amount provided for Contracts and Agreements by $14,450.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 1533 Communication from

Richard. S. Caliguiri, Mayor, withdrawing the nomination of Rebecca Lee to the Minority Business Enterprise Review Committee and submitting the name of Regis Darrow Bobonis to the Minority Business Enterprise Review Committee for a term to expire April, 1986.

Which was read, read, received and filed.

Also,

No. 1534 Resolution that the appointment of Regis Darrow Bobonis be and the same is hereby approved and confirmed as a member of the Minority Business Enterprise Review Committee for a term to expire April, 1986.

Which was read.

Mr. Robinson:

Mr. President and members of Council, I'd like to read a letter which each of you received and the reason I want to read this letter at this time relates to the legislation that was just read by our Assistant City Clerk.

"October 8, 1984

Dear Colleagues:

Thank you for your patience and understanding relative to my concerns about the composition and operation of The Minority Business Enterprise Review Committee.

As you are aware from my recent correspondence, I am attempting to secure additional information and insight into the appointments to the Committee as recommended by the Mayor.

I have asked, in written form, Reverend James Simms, Chairperson of the Minority Business Enterprise Review Committee, to seek the withdrawal of the names submitted by the Mayor.

The name of Ms. Rebecca Lee has been withdrawn by her own request. I still would like your indulgence to meet with the President of Council to discuss this matter prior to Council's consideration of the nominees.

I would also like to have Council and the Mayor entertain expansion of the Committee to thirteen members (13) and require some relevant background and experience from each as well as a sharing of the new appointments between the Mayor and Council.

Your cooperation will be appreciated for these reasons and those expressed in my original letter. I am requesting your cooperation again.

Yours respectfully,

William Russell Robinson
Council Liaison
Minority Business Enterprise Review Committee"

Mr. President, again, to reiterate this letter and the correspondence that I sent to you and members of Council last week, it's apparent that the Administration would like us to consider those names that they have submitted for inclusion on the Minority Business Enterprise Review Committee. My objections to the process is the same. I do not have any objections to the individuals who have been named because I think they are outstanding public servants but I do believe that there are some inconsistencies in terms of the appointments to this committee and the appointments to other committees and boards and authorities in the City.

Rather than continue to attempt to get the Administration to seriously

consider what might be in the best interest of the City, I am now requesting my colleagues and the President of this Council to take some time out of their busy schedules to do several things. One, to assist me as Council liaison to give the kind of input to that committee that it probably wants and needs and to remember that it was this Council, this Council, that initiated the Minority Business Enterprise Review Committee. It was this Council that insisted one year after its authorization that members be appointed. It was this Council that led the fight for minority business development in the City of Pittsburgh. I am grateful for all the assistance that each member of Council, past and present, has leant to that effort.

Also, I would like members of Council to join me at the next meeting of the Minority Business Enterprise Review Committee so that you might find out first hand how that Committee operates and who are the parties that are involved.

Third, I would like us to apply the same test to the Minority Business Enterprise Review Committee that Councilman Grabowski applied to the Planning Commission when he voted against Mr. McClung. And when I say voted against Mr. McClung, I'm not talking on a personal basis. I'm talking about the fact that Councilman Grabowski felt that because Mr. McClung's attendance was only at the 50 percent level, perhaps someone else would have more time to serve on the Planning Commission. I'd like you to also apply that standard to the Minority Business Enterprise Review Committee and those people who serve there.

I would like you also to take very serious my concern about the internal operations of that committee. I am not interested in having a protracted public debate or discussion about the operation of the Committee. I am more than willing to let this Council peruse the record transcripts, the documents surrounding that meeting. But I also ask Council to ask yourself what is the relevant law and where is the documentation that that law is being followed and what is the participation of those who have been asked to participate? What is the participation of those that are mandated by law to participate?

I wouldn't ask you to come to these meetings if I were not going to go myself and I also would like you to request that the City Solicitor assign someone from his staff to give assistance to that committee. The law requires that. There is not now anyone from the Solicitor's staff assigned to work with the Minority Business Enterprise Review Committee.

Rather than go on and perhaps embarrass anyone or perhaps discuss things that should be discussed other places, I again beseech you not to consider the nominees when their names are presented to you on Wednesday.

The President of Council has been generous enough to afford me an opportunity to meet with him on Thursday along with some leaders of this City's black community to discuss what is obviously becoming a very perplexing problem, that problem being, how can we move forward with our efforts to provide opportunities for everyone in this City and how can we make this Minority Business Enterprise Review Committee be one of the elements of a substantive program to let everyone know that opportunities are available here for everyone in the City of Pittsburgh.

In closing let me say that this committee unfortunately is the only one

I'm aware of in the City of Pittsburgh that does not have staff assistance that can be identified in our budget. This is the only committee that I'm aware of that for whatever reasons has been able to function without a quorum. This is the only committee that I know of in the City of Pittsburgh that has not received the full and unqualified support of the Mayor. If I did not feel so strongly about this I would not at this point raise any questions about the Mayor's commitment but I think it's time to find out where the Mayor stands, not what he says, but where he stands on this issue.

Please join me at the next meeting which is this coming Thursday at 10:00 in Reverend Simms' conference room, right across the hall from here. Please join me. Please ask to see the records. Please assist me in making this committee as substantive and as important to the City as any other committee we have. Thank you.

The Chair:

If we don't have a quorum, how can you run a meeting?

Mr. Robinson:

That I don't know, Mr. Chairman.

Mr. Wagner:

Mr. President and members of Council, I'd like to share with you a letter that has been sent today to the Executive Director of the Stadium Authority and all Authority members. I'd like to read that letter.

As a result of the problems which occurred during a recent Monday night football game, appropriate action should be taken by the Stadium Authority to reduce a similar reoccurence. It is my opinion that the safety of the public should be the primary concern along with the positive image of the Stadium and the City of Pittsburgh.

It has become a known fact that many Steeler fans having season tickets no longer want to go to Monday night games because of the public drunkenness, offensive behavior and language. I personally witnessed several instances of this at the last Monday night game.

I am recommending that the following actions be taken at future Monday night football games: 1) the sale of alcoholic beverages be discontinued; 2) the City of Pittsburgh double the number of police officers from 12 to 24 during these games. Three officers should be stationed at each of the four entrances one hour prior to the start of the game. They should be instructed not to permit anyone from entering the Stadium that is intoxicated or under the influence of a foreign substance.

The extra effort taken by the Stadium Authority and the City of Pittsburgh will help to ensure public safety and improve the negative public image associated with Monday night football games.

Copies of this letter have been sent to all members of the Stadium Authority, the Mayor, members of Council, and Superintendent Coll.

This letter is a suggestion to the Stadium Authority and the Administration that some positive action be taken to address what I view as a serious problem before more people are seriously injured at the Stadium, before the image of this City is further damaged, before we no longer enjoy Monday night football games, and before the national recognition that goes with Monday night football games is no longer part of the City of Pittsburgh.

Thank you.

Michelle Madoff:

Mr. Stone, two other matters. The issue of voting, I need some clarification from the Parliamentarian, the issue of Council barring someone from coming to the table at a Monday meeting, meaning a department head, if one member of Council denies the right of a department head to come to the table, then according to the rules of Council, they cannot speak. Is that also true on the Wednesday meeting? I need clarification on that.

The Chair:

Yes.

Michelle Madoff:

Correct me. I want to be sure I understand. Neither the Mayor, a department head, or any private person that any members of Council feels could add substantively to the knowledge of Council would be barred from coming to Council if one member of Council objected to their being here. Is that correct?

The Chair:

That's the present status of the rules.

Michelle Madoff:

Linda Johnson, if you would please prepare the resolution which I had asked to have done, prepare a resolution amending the rules of Council to allow for an override by a two-third vote of the members of Council which would then allow the Mayor, department head, or any pertinent person who wishes to speak to come to Council. Would you prepare that and any of my colleagues who would like to add their names to that bill, please do so.

On another issue. I have sort of vascillated on bringing this matter before Council because I understand while I was away there was a scandel in the papers about the Water Department with reference to someone not turning monies over, etc., and there's an investigation going on. But I am the Councilmember assigned to the Committee of Water and it turns out that more than 300, probably 350, sources in the last year have not been charged for water. Were my colleagues aware of that? It appears that the permits not having been turned over to the proper agency which does the billings for the use of water, therefore had no knowledge and therefore could not charge the facility for water.

How this could be allowed to happen in an Administration is unbelievable. Let me give you examples. PPG, $35,000; Kane Hospital, the City of Pittsburgh, I don't have the exact figure, someone is trying to get it, I left it in someone's car and they're trying to get the figures for me; one of the high-rises for senior citizens; I'm not positive but I believe also the townhouses in Schenley Park. How could anyone not know they were using water? These people have been there over a year. Three hundred fifty sources have not been charged for water and I learned about it inadvertently.

I'm only head of the Water Committee, nobody is going to tell me anything. This is exactly why I object to the way business is being done in the City. The Water Department, the Water Authority, Construction and Engineering should still be under one roof. The hip bone isn't attached to the thigh bone, nobody knows what's going on.

A reporter came to me today, I had talked to another reporter about this issue, I didn't want it to come from the media because it's my committee. A reporter went to talk to the appropriate department today and the person said they didn't know what he was talking about. They've obviously been told not to give out any information. But what I just told you is gospel and is fact and I will stand behind it at any time.

Mr. Robinson:

Mr. President, on another issue.

Michelle Madoff:

I would like some comments from my colleagues on what they think of that issue.

Mr. Givens:

Sue them.

Michelle Madoff:

Who am I going to sue?

Mr. Givens:

There's an inspector on the job —

The Chair:

Mr. Robinson has the floor.

Mr. Givens:

This is on the same subject. She asked for some comments.

The Chair:

I don't think this is the time for comments. You made your comment now let someone else make theirs.

Mr. Robinson:

Mr. President and members of Council, I am requesting your attention to a matter of grave and important concern. Several weeks ago Mr. Leon W. Howard, Jr. came before this Council at a post agenda session to share his concerns as a member of our Planning Commission and a leader in Pittsburgh's black community relative to his concerns about development and business opportunities for minorities and women in our City. Subsequent to that meeting Mr. Howard was replaced as Vice-Chairman of the Planning Commission. He was replaced by Mr. Joseph Mistick; that is, Mr. Mistick is now the Vice-Chairman of the Planning Commission.

The circumstances of Mr. Howard's demotion and the addressing of his important concerns by the Planning Commission, the Mayor and Council, give the appearance that his concerns for fairness, justice, and economic opportunity were not only simarily dismissed but his stature as a public servant and NAACP Vice-President were ignored. The circumstances and propriety of Mr. Howard's demotion suggests that leaders in the black community will be punished for requesting the assistance of government in the pursuit of worthy goals.

A fuller appreciation of the circumstances and rationale of Leon W. Howard's demotion is necessary. I believe Pittsburgh's black community deserves no less.

Michelle Madoff moved to approve the Minutes of Monday, September 17, 1984 and Monday, September 24, 1984.

Mr. Wagner seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Robinson**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, October 15, 1984 No. 40

Municipal Record

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, October 15, 1984

PRESENT:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods (Pres't Pro tem)

ABSENT:

Mr. Stone

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair, Pro tem:

I would like to make one announcement before we go into the Presentation of Papers. Due to the passing of Council President Robert Stone's cousin who is a priest in Niagara Falls, Canada, President Stone will not be able to attend today's meeting.

PRESENTATIONS

Mr. Givens presented

No. 1535 An Ordinance amending the Pittsburgh Code, Title Four - Public Places and Property, Article II - Communications, Chapter 425 - Cable Communications, by charging certain obligations and duties. —(SPONSORED BY MR. GIVENS)

Also,

No. 1536 Resolution amending Res. No. 690 of 1984, entitled: "Resolution providing for an Agreement or Agreements with Grant Liberty Development Group Associates, a Pennsylvania general partnership, for the grant of easements for the construction, maintenance and use of improvements to be constructed above, on and beneath certain portions of the public rights-of-way of Tenth Street, Penn Avenue, Eleventh Street, and Liberty Avenue, in connection with the construction of the Liberty Center," by modifying Exhibit "A".

Which were read and referred to the Committee on Public Works.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills

were introduced so the bills will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also,

No. 1537 Resolution amending Res. No. 1210 of 1983, eff. January 1, 1984, entitled: "Adopting and approving the 1984 Capital Budget and the 1984 Community Development Block Grant Program; and approving the 1984 through 1989 Capital Improvement Program," by increasing the authorization for the Central Business District Street Lighting Program.

Also,

No. 1538 Communication from Louis R. Gaetano, Director, Dept. of Public Works, requesting authorization for Brother Richard Emenecker to meet with the Pennsylvania Congressional Delegation in Washington, D.C., on September 19, 1984, at a cost not to exceed $290.00, payable from Community Communications Trust Fund. Prior approval granted by Council September 14, 1984.

Which were read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 1539 Communication from George Jacoby, Director, Dept. of General Services, requesting authorization for Barbara Burger to attend the National S Congress and Exposition in Chica ois, from October 15-18, 1984, st not to exceed $1,300.00, payable from Code Account No. 1128, Misc. Services, Dept. of General Services. Prior approval granted by Council October 8, 1984.

Which was read and referred to the Committee on General Services.

Michelle Madoff presented

No. 1540 Communication from Councilwoman Michelle Madoff, submitting an amendment to the Rules of Council, Rule VI(b), which would require a two-thirds vote of Council instead of unanimous consent for a person to be heard or seated at the Committee table. —**(SPONSORED BY MICHELLE MADOFF)**

Which was read and referred to the Committee on Finance.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. O'Malley presented

No. 1541 Resolution providing for the letting of a Contract or Contracts; or for the use of existing Contracts for the purchase and delivery of Hurst Tool Equipment for the Dept. of Emergency Medical Services, at a cost not to exceed $30,000.00, chargeable to and payable from Code Account EMSTPP, Emergency Medical Services Third Party Payer Trust Fund, Index Code 251959.

Also,

No. 1542 Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the purchase and delivery of Dictaphone Audio Recording System for the Dept. of Emergency Medical Services, at a cost

not to exceed $16,000.00, chargeable to and payable from Code Account EMSTPP, Emergency Medical Services Third Party Payer Trust Fund, Index Code 251959.

Which were read and referred to the Committee on General Services.

Mr. Robinson presented

No. 1543 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article IX, Property Taxes, Chapter 263, Real Property Tax, Section 1, Levy and Rate on Lands and Buildings, by imposing the Real Property Tax for 1985.
—(SPONSORED BY MR. ROBINSON)

Also,

No. 1544 An Ordinance amending the Pittsburgh Code, Article I, Administrative, Chapter 161.19(b) by adding provisions for membership on the Minority Business Enterprise Review Committee. **—(SPONSORED BY MR. ROBINSON)**

Also,

No. 1545 An Ordinance amending the Pittsburgh City Code, Article I - Administrative Chapter 161.19(d) by adding additional procedures.
—(SPONSORED BY MR. ROBINSON)

Also,

No. 1546 An Ordinance amending the Pittsburgh Code, Article I, Administrative, Chapter 101.19 Development Proposal; Minority Participation Plan by adding to subsection 161.19(a) (2) and 161.19(a) (3) the words Professional Service Contracts in the appropriate place. **—(SPONSORED BY MR. ROBINSON)**

Also,

No. 1547 An Ordinance amending the Pittsburgh City Code, Article I - Administrative, Chapter 161.19(f) and 161.19(g) by adding conditions.
—(SPONSORED BY MR. ROBINSON)

Also,

No. 1548 Resolution providing for the enforcement of contract agreements for Affirmative Action/Equal Employment Opportunity and Minority and Womens Business Development opportunities under Ordinances and Resolutions authorizing the Cable Communications Franchise Agreement, City of Pittsburgh.
—(SPONSORED BY MR. ROBINSON)

Which were severally read and referred to the Committee on Finance.

Also,

No. 1549 Resolution providing for the Public/Private Financing of the Liberty Center Hotel/Office Complex and the securing of developers for the Project.
—(SPONSORED BY MR. ROBINSON)

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Also,

No. 1550 Resolution approving a Conditional Use Exception under Section

993.01(a)A(8) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, for authorization to Montefiore Hospital to construct a five story medical office building and a two story parking garage addition on hospital property located at Terrace Street and Darragh Street, 4th Ward.

Also,

No. 1551 Resolution approving a Conditional Use under Section 993.01(a)A(14) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, for authorization to construct a 10 story medical office building for Eye & Ear Hospital; to construct a one story ambulatory surgical facility for Eye & Ear Hospital & Presbyterian Hospital; to construct a ten story administration and adjoining 8 story ancillary use facility for Presbyterian Hospital on the existing parking garage base bounded by: DARRAGH STREET; TERRACE STREET; LOTHROP STREET and VICTORIA STREET, 4th Ward.

Also,

No. 1552 Resolution providing for an amendment to Res. No. 427 eff. June 10, 1983, entitled: "Providing for the execution of a Cooperation Agreement or Agreements with the URA of Pgh. for the performance of certain work in connection with the 1983 Community Development Block Grant Program; and providing for the payment of the costs thereof," to decrease the total allocation of funds by $100,000.00 from $13,643,000.00 to $13,543,000.00 and make adjustments to a line item.

Also,

No. 1553 Resolution authorizing the URA of Pgh. to acquire that property in the 10th and 21st Wards of the City of Pgh. owned by the City of Pgh. and designated as Block and Lots: 50-H-214, 50-H-215 and 22-P-319 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 1554 Resolution authorizing the URA of Pgh: to acquire that property in the 25th Ward of the City of Pgh. owned by Lucius Hardwick and Laureen Hardwick and designated as Block and Lot 23-J-45 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 1555 Resolution authorizing the URA of Pgh. to acquire that property in the 11th Ward of the City of Pgh. owned by Anthony Piccolino and Rose V. Piccololino and designated as Block and Lot 82-L-135 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 1556 Resolution authorizing the URA of Pgh. to acquire that property in the 10th Ward of the City of Pgh. owned by Vincent M. O'Toole and designated as Block and Lot 50-M-13 in the Deed Registry Office of Allegheny County under the Residential Land Reserve Fund, said property having been

certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 1557 Resolution authorizing the URA of Pgh. to acquire that property in the 10th Ward of the City of Pgh. owned by Janice C. Akins and designated as Block and Lot 50-L-32 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 1558 Resolution authorizing the URA of Pgh. to acquire that property in the 10th Ward of the City of Pgh. owned by Evelyn Jones and designated as Block and Lot 50-M-18C in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 1559 Resolution Repealing Res. No. 861, eff. August 31, 1981, entitled: "Providing for a Contract or Contracts for the Asphalt Plant Dock Facility, at a cost not to exceed $550,000.00, chargeable to and payable from Code Account PW 81-33, 4-01-30-0950-81, (4-13-30-0950-81, Index Code No. 305003) Asphalt Plant (including Dock and Crane), Dept. of Public Works."

Which was read and referred to the Committee on Public Works.

Also,

No. 1560 Resolution Repealing Res. No. 1071 of 1983, entitled: "Providing for a Contract or Contracts for a 12" X 6" Water Line Relay in Friendship Avenue, between Baum Boulevard and Penn Avenue, at a cost not to exceed $370,000.00, payable from Capital Budget Account WD 83-07 (4-05-15-0001-83), 4-13-52-0001-83, Index Code No. 311001, Waterline Relays Various Locations."

Also,

No. 1561 Resolution Repealing Res. No. 755 of 1983, entitled: "Providing for a Contract or Contracts for Filtration Plant Wall and Arch Repair Work, at a cost not to exceed $450,000.00, chargeable to and payable from Capital Budget Account No. WD 83-03, 4-05-30-0002-83 (4-13-44-0002-83, Index Code No. 313205), Dept. of Water."

Which were read and referred to the Committee on Water.

Also,

No. 1562 Resolution providing for an Agreement or Agreements with Schneider Engineering, Inc., (Edward Schneider, President), for Engineering Services in connection with an Asbestos Abatement Study of the Public Safety Building, at a cost not to exceed $15,000.00, chargeable to and payable Code Account LB 84-16, 4-13-95-0005-84, Engineering Service Contracts, Index Code No. 353003.

Also,

No. 1563 Resolution providing for

an Agreement or Agreements with Duquesne Light Company for underground electrical service and temporary relocation of overhead facilities in connection with the Reconstruction of Warrington Avenue, at a cost not to exceed $23,100.00, chargeable to and payable from Code Account CDPW 83-36, 4-13-01-0130-83-250-83-13, Warrington Avenue, Index Code No. 432534.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Wagner for Mr. Woods presented

No. 1564 Resolution authorizing the issuance of a warrant in favor of NBI in the amount of $292.40 in payment for services relative to the reinstallation of NBI equipment in the City Clerk's Office, chargeable to and payable from Code Account No. 1003, Misc. Services, City Clerk's Office, Index Code No. 100305.

Also,

No. 1565 Resolution providing for the issuance of a warrant to Carol Ann Rigby and Robert L. Garber, Esquire, 101 Smithfield Street, Pgh., PA 15222 in the amount of $4,000.00 in full settlement of a claim for personal injuries sustained when he rode his hot wheel cycle over a City owned, uncovered sewer, payable from Code Account No. 46, Judgments.

Also,

No. 1566 Resolution transferring the sum of $5,000.00 from Code Account No. 1051-2, Computer Installation & Maintenance to Code Account No. 1049, Equipment, Dept. of City Controller.

Also,

No. 1567 Resolution providing for an Agreement or Agreements with Peat, Marwick, Mitchell & Company, for auditing services for the City of Pittsburgh for the year ending December 31, 1984, including the Municipal Pension Fund, the Policemen' Relief and Pension Fund and the Firemen's Relief and Pension Fund, at a cost not to exceed $87,600.00.

Also,

No. 1568 Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 514, as amended, and providing for the forfeiture of hand money.

Also,

No. 1569 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended.

Which were severally read and referred to the Committee on Finance.

UNFINISHED BUSINESS

The Chair, Pro tem presents

No. 1448 Resolution approving the appointment by the Mayor of Watfa Midani of 2227 Beechwood Boulevard, Pittsburgh, PA 15217 be and the same is hereby approved and confirmed as a member of the Art Commission for a term to expire January, 1986.

Which was read.

Also,

No. 1452 Resolution approving

the appointment by the Mayor of Ms. Dorothy Binstock of 5621 Callowhill Street, Pittsburgh, PA 15206 be and the same is hereby approved and confirmed as a member of the Human Relations Commission for a term to expire March, 1987.

Which was read.

Also,

No. 1454 Resolution approving the appointment by the Mayor of Thomas D. Jordan of 1822 Webster Avenue, Pittsburgh, PA 15219 be and the same is hereby approved and confirmed as a member of the Human Relation Commission for a term to expire July, 1986.

Which was read.

Also,

No. 1456 Resolution approving the appointment by the Mayor of Dr. Edward Paul Cohen of 5500 Darlington Road, Pittsburgh, PA 15217 be and the same is hereby approved and confirmed as a member of the Human Relations Commission for a term to expire March, 1987.

Which was read.

Mr. O'Malley moved to approve the appointments.

Mrs. Masloff seconded the motion.

Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Wagner for Mr. Woods presented

Bill No. 1570

Report of the Committee on Finance for October 10, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1464

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Service Supply Company in the amount of $1,536.60 for the purchase of hardware for the City garages, without previous authority of law."

Which was read.

Also,

Bill No. 1467

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the International Business Machines Corporation, P.O. Box 3025, Pittsburgh, Pennsylvania 15230, in the amount of $1,866.00, in payment for rental of equipment furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1472

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Trumbull Corporation, in the amount of $552.98, in payment for Extra Work, being in addition to the original contract price of $4,083,511.40 on Controller's Contract No. 26925, furnished for the benefit of the City in connection with the Reconstruction of Grant Street, Phase I."

Which was read.

Also,

Bill No. 1473

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Karkadoulias Bronze Art, in the amount of $8,000.00 in payment of an Emergency Contract to restore a World War I Monument at Herron Hill Park; and providing for the payment thereof."

Which was read.

The Chair, Pro tem:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods (Pres't Pro tem)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1474

A Resolution entitled, "Resolution authorizing the transfer of funds from time to time from the Asphalt Reimbursement Trust Fund Transfer Account."

Which was read.

The Chair, Pro tem:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods (Pres't Pro tem)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1476

A Resolution entitled, "Resolution providing for the issuance of a $1,250.00 warrant in favor of Vincent DeCarlo, Jr. and Linda DeCarlo in settlement of claim for sidewalk damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 1477

A Resolution entitled, "Resolution providing for the issuance of a $1,275.95 warrant in favor of Clarence Jones in settlement of claim for vehicle damage and providing for the payment thereof."

Which was read.

The Chair, Pro tem:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods (Pres't Pro tem)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1478

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in various wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County Block and Lot Numbers mentioned therein."

Which was read.

Also,

Bill No. 1479

A Resolution entitled, "Resolution repealing Item H of Resolution No. 418, apprroved June 1, 1984, which authorized the sale of property in the 13th Ward, being a 2-1/2 Story, Frame house, located at 7019 Kelly Street, designated as Block 125-M, Lot 167, to Frances Halley, for the sum of $5,000.00."

Which was read.

Also,

Bill No. 1480

A Resolution entitled, "Resolution amending Item E of Resolution No. 674, approved August 13, 1984, which authorized the sale of property in the 13th Ward, being a 2 Story, Brick warehouse and a lot, located at 7424 Tioga Street, designated as Block 175-B, Lot 104, to Jessie J. Holly and Ruby Holly, his wife, for the sum of $12,000.00."

Which was read.

Also,

Bill No. 1481

A Resolution entitled, "Resolution amending Item F of Resolution No. 418, approved June 1, 1984, which authorized the sale of property in the 5th Ward, being vacant land, located on Ridgeway Street, designated as Block 26-K, Lots 119-120-123-126, to Paul W. Kershaw, for the sum of $1,000.00."

Which was read.

Also,

Bill No. 1482

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended."

Which was read.

The Chair, Pro tem:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods (Pres't Pro tem)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 1571

Report of the Committee on Public Works for October 10, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1458

A Resolution entitled, "Resolution amending the 1984 Capital Budget to increase authorization for the City Wide Resurfacing Program and establishing the Asphalt Reimbursement Trust Fund Transfer."

Which was read.

Also,

Bill No. 1459

A Resolution entitled, "Resolution granting unto McDonalds Corporation their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an Encroachment on a portion of the sidewalks of Maolis Way and North Lincoln Avenue in the 21st Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1460

A Resolution entitled, "Resolution granting unto the Redwood Inn, 2898 Banksville Road, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Sign Post in a portion of the right-of-way of 2898 Banksville Road in the 20th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1461

A Resolution entitled, "Resolution granting unto Cappy & Company, Incorporated, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Sign Encroachment over a portion of the sidewalk of 323 Boulevard of the Allies in the 1st Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1462

A Resolution entitled, "Resolution granting unto Union National Bank, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, underground vaults in a portion of the sidewalk at 312 Fourth Avenue, in the 1st Ward of the City of Pittsburgh."

Which was read.

The Chair, Pro tem:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods (Pres't Pro tem)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 1510

A Resolution entitled, "Resolution requiring the Mayor, Director of Public Works, Superintendent of the Bureau of Cable Communications and the City Solicitor to secure the services of a Professional Cable Communications Consultant.
—(SPONSORED BY MR. ROBINSON)

Which was read.

Mr. Robinson:

Mr. Woods and members of Council, as the sponsor of Council Bill 1510, I'd just like to take one more occasion to seek the assistance and cooperation of my colleagues in passing 1510.

A lot of discussion has been generated relative to the need for professional consultants and professional expertise in evaluating our present cable system and any cable system in the future. I won't belabor those points but I would just like to encourage members of Council to consider Bill 1510 as an attempt to secure for us the mosst professional and substantive information that we can receive to make a very sound and responsible decision about the possible transfer of our present cable system.

I would hope that if members of Council were unable to support Council Bill 1510 at this time and it's application to the proposed sale of the Warner Cable Corporation Pittsburgh System to TCI that Council would consider at a later date a similar bill that would require our cable bureau to employ persons with the types of professional expertise that Council Bill 1510 requires.

Having said those few words on this subject, again I hope that my colleagues will support Council Bill 1510.

Michelle Madoff:

I am really very upset because I said to this Council on numerous occasions we have a deadline of October 31st. My colleagues, particularly the

new members to this Council, one new member I'll name because I think he's a very effective member of Council and I'm proud to serve with him, that's Mr. Wagner, did not believe that we would be confronted with a deadline. This goes back to the bills that I've introduced I believe four times now, that this Council needs a fiscal analyst and for special expenditures of vast sums of money or vast impact on the community decisions we should have a fiscal advisor.

As you know, Mr. Woods, you and I went down to Baltimore; you were very impressed with the fiscal analyst there. This Council wouldn't even vote to let someone who does not want a job with us come and tell us the benefits that Baltimore has received because their Administration doesn't want their Council to have a fiscal analyst or advisor either. She has saved by one decision something like five or six million dollars. Is that right, Mr. Woods? Isn't that what you told us? While Mr. Woods may say the situations are not analogous, that they're different cities, the basic principles of economics are the same and I would implore my colleagues to support this motion by Mr. Robinson not to necessarily go out and get a "expert" in cable or "expert" in cable rates but at the very very least a consultant who is an economist.

Marv Fein came over to me, he's our City attorney, and said, "If you want an economist, did you know that I graduated as an economist?" We're supposed to be an autonomous body. Why don't we just disband and let the Mayor run the City if we're going to listen to the people that he hires. Marv is an old dear friend of mine but that is not where we should be coming from. We should be having our own legal counsel for this staff which the Home Rule Charter provides for and having our own fisal analyst and fiscal consultanf when we have major issues.

It occurs to me that if we let this opportunity go, we are going to be railroaded forever. At the very least, let's have an economist see if the same thing is going to happen four years down the pike, is TCI going to go belly up and come back and say they can't make it with the rates, to just look at the financial end of it, the economic impact of what they're going to do dollar-wise. I will also say to you that when I raised this issue before, someone chastised me thinking I was Sophie Masloff and said if you wanted to have a fiscal person on the Advisory Council why didn't you appoint one to it or recommend somebody to it? Get somebody with some fiscal expertise who is retired in the City, one of our senior members of the corporations, to serve on the Advisory Board of cable. I think that is a superb idea. But I still think, even when the come to us and say, "We can't give you any advice on rate structure because we don't have a fiscal advisor", we should hang our heads in utter disgrace and shame.

I urge support if minimally just to look at the economic aspects of this. You can do that in 48 hours. You can get six people who are economists in this area from major law firms, major accounting firms, to just look at the fiscal viability of doing this so we're not confronted with this problem down the pike.

The Chair, Pro tem:

Roll call vote. This has a negative recommendation so if you want it negative you vote no; if you want to pass it, vote aye.

Michelle Madoff:

If you want a consultant you say yes.

Mr. O'Malley:

I vote no and I'd like my comments from last Wednesday's meeting brought forward.

(BEGINNING - MR. O'MALLEY'S REMARKS ON BILL NO. 1510 - WEDNESDAY, 10/10/84)

Mr. O'Malley:

I would like to make one comment, with all due respect to Brother Richard. It is my understanding he is known as one of the foremost experts in cable in the entire country. In fact, his advice is sought on many issues pertaining to cable. In this one instance I have to disagree with my colleague, Councilman Robinson. I really don't think that the legislation, speaking for myself, is necessary, because Brother Richard has been kind enough, and Marvin has been kind enough to furnish me will all the information that I requested, certainly, being this document right here, and I think Brother Richard is working for us Councilmembers now.

I think if we would pass Councilman Robinson's bill I certainly don't think we can meet the October 31st deadline, and I stated before I think that would certainly jeopardize the sale from Warner to TCI if we don't get that out.

(END - MR. O'MALLEY'S REMARKS ON BILL NO. 1510 - WEDNESDAY, 10/10/84)

Mr. Wagner:

I vote no and I'd like my comments brought forward from last Wednesday's meeting on this bill.

(BEGINNING - MR. WAGNER'S REMARKS ON BILL NO. 1510 - WEDNESDAY, 10/10/84)

Mr. Wagner:

Councilman Robinson and I discussed this, and originally thought this was an excellent idea. As a matter of fact, I think it is a flaw of Council, meaning myself included, that we didn't do this three months ago.

But I further agree with Brother Richard that we are now faced with — Today is October 10th; final vote on this legislation will not take place until the 15th. Potentially we are looking at final vote on the legislation for the new agreement with TCI on potentially the 22nd of October, or I guess at the very latest the 29th. I think it is unrealistic at this point in time to assume that we could go out and find someone competent enough to analyze such a complex system and proposal and come back to this Council within a week minimum, and two weeks maximum, with a logical conclusion and information, and I guess what I am saying is I think we have forced ourselves into a corner with the type of time constraints that we are faced with, and I just don't think that it is possible.

(END - MR. WAGNER'S REMARKS ON BILL NO. 1510 - WEDNESDAY, 10/10/84)

The Chair, Pro tem:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff Mr. Robinson

AYES 2 NOES 6

VOTING NO:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods (Pres't Pro tem)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Mr. Robinson presented

Bill No. 1572

Report of the Committee on Planning, Housing and Development for October 10, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with a **NEGATIVE** recommendation,

Bill No. 1470

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01(a)A-10) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, as amended, for occupancy of 1246-48 BRIGHTON ROAD as an Institutional Facility for 25 adult males in a pre-release program operated by the Pennsylvania State Bureau of Corrections, 22nd. Ward."

Which was read.

Mr. Robinson:

Mr. President, in reference to Council Bill 1470, as Council is aware, the Planning Commission sent us a recommendation which we took action on last Wednesday. That recommendation was to deny the request by the Commonwealth of Pennsylvania for a conditional use relative to the property in question on Brighton Road. Subsequent to our actions last Wednesday, I did receive a letter that I would like to have read into the record which I think reflects another point of view and one that I think that we should give some official note to prior to taking any action on this bill. It's my understanding that each member of Council received a copy of this letter dated October 11, 1984 from the Office of the Attorney General Commonwealth of Pennsylvania. With your indulgence, I'd like to read this if I might.

"Dear Councilman Robinson:

I am writing on behalf of the Pennsylvania Bureau of Correction, Community Service Division. The Bureau has applied for a conditional use to use the property located at 1246-48 Brighton Road as an institutional facility for 25 adult males in a pre-release program with 24 hour supervision. This application is not a proposal by the Bureau of Correction to increase the number of such facilities in the City of Pittsburgh, but represents relocation of the facility currently located on the Northside at 915 Ridge Avenue.

At your meeting on October 10, 1984, the initial vote of Council was to affirm the denial of this application by the Planning Commission. Before your final vote on this matter on October 15, 1984, I would like to call your attention to the Zoning Report prepared in which the City Planning Department unanimously recommended approval of this application to the Planning Commission. In doing this, it is my hope that you will choose to support the well-thought reasoning of the Planning Department staff and their

recommendation that this application be approved. I have attached a copy of that Zoning Report and call your attention particularly to the reasons set forth on page 3 of that Report.

Also to refresh your recollection, this is the second time the Bureau of Correction has been before you within the past six months in an attempt to find a suitable location, working with the Planning Department, to relocate the facility at 915 Ridge Avenue. The quality of the program operated by the Bureau of Correction at Ridge Avenue has not been questioned in either this proceeding or the prior proceeding which involved 108-110 Miltonberger Street.

The apparent basis for denial of this application and the prior one seems to focus on community concerns rather than the credibility of this program which has been functioning for the past fifteen years on the Northside. As I am sure you are aware, any program of this nature will generate some public opposition. However, it is interesting to note in this case that when notices were mailed to 27 owners, 18 occupants and 36 registered organizations and were posted in the vicinity, only five responses were received, two in facor and three opposed to the application. I suggested to you that this lack of response is in effect a positive reponse for this type of facility.

In closing, I ask for your vote to approve this conditional use application at 1246-48 Brighton Road for the reasons set forth in the Zoning Report. As that Report stated " . . . With the occupying of the building by the Community Service Division, another bar would be removed from the community and a deteriorating building in an historic district would be renovated thus further enhancing the appearance of the area," and "It (the Ridge Avenue facility) has existed within the same general area for 15 years without incident and is seen more as a relocation of a good neighbor."

Thank you for your consideration.

Very truly yours,

Thomas F. Halloran
Senior Deputy Attorney General"

Taking into account Mr. Halloran's letter and some conversations that I've had over the last few days with neighborhood residents and representatives of a number of organizations, the Mexican War Street Society and the Central Northside Neighborhood Council, it seemed to me that the activities that this City is attempting to initiate in the Brighton Road-Pennsylvania Avenue area of the Northside, would dictate that we give particular attention to the concerns of those citizens that we have been working with to try to redevelop that area. While I can appreciate the problems that the Commonwealth is having in relocating the facility on Ridge Avenue, I think that our concern for development of Pennsylvania-Brighton should take precedent and that in this particular instance those community groups and organizations that have been working with us for at lease three or four years in putting together a development plan for that area should have their concerns addressed and I think in this instance we should lean towards the community concern. The community concern has been that at this time the placement of this facility on Brighton Road would not assist in their efforts to develop the area and would be inconsistent with the plans that they have been working with for the last three years.

One other situation which I think bears on this set of circumstances. Recently an Administrative decision was made by our Planning Department and

the URA to take monies out of the Pennsylvania-Brighton Project and use them elsewhere. This has caused a great deal of concern on the Northside. It's created a great deal of dialogue and I think it has heightened suspicions that perhaps the City is going to renege on its commitment to develop that area. I think that we would only add to the frustration of the people who live in the Pennsylvania-Brighton area if we were to at this point approve the establishment of this pre-release center.

Having said all of that I would hope that members of Council would maintain the posture that they took on Wednesday and deny the request of the Corrections Bureau.

Mr. Givens:

I was not here Wednesday when this bill was brought forward and did not have an opportunity — It's only for a conditional use and the fact that they home has been in operation for some 12-15 years on the Northside and to my knowledge — I see you shaking you head, Ben. Is that true or not?

The Chair, Pro tem:

It's a different location.

Mr. Givens:

I know it's a different location. I said in their present location they've been in existence for about 12 years and there hasn't been any difficulty in that particular neighborhood that has been expressed to this Council that I'm knowledgeable of, that this home was not conforming to the good discipline, etc. Yes, they are moving to a new location but seeking out the site of where they're going into they're removing an old tavern, there's an old hotel for vagrants almost, it's been designated an historical landmark. The people, not just from the Attorney General's office but the worthy cause of what they're trying to do — You know, these men face imprisonment or they face these homes where we can put young first time offenders into and give them the type of training and keep them away from jail. I don't know if any of you have any good friends or if you've been in jail at all but it's an awsome feeling to be in there and the individual privacy of one who is put in our penal institutions is not one to even be talked about in this public forum that we have here right now.

We must have these type of homes within the City of Pittsburgh and we must have them located in our neighborhood. Every time they're in the neighborhood, when the people finally find out about them, they're young kids, first time offenders, it's the first time they ever made a mistake in their life and I think they should have an opportunity like anyone else should have. The fact that they're going into a blighted area and restoring should be a compliment to that particular community. And the fears that they have of having some 27 male adults there if there was no concern in their previous neighborhood why should there be concern in this neighborhood? And the fact that the City Planning Department unanimously recommended approval of this application to the Planning Commission and the Planning Commission gets a hold of it and they turn it down completely — I mean, there's something wrong here someplace. Maybe it's the awareness of the public in that particular area but I think there's a fright that has come up in this neighborhood that is not an existing neighborhood right now. It's too bad that the two neighborhoods couldn't have gotten together and maybe exessed words with one another as to see what type of a home this is.

I've visited many of these homes. I'm well aware of Tom Halloran the Senior Deputy who has been before this Council before and has been pleading and asking on his own, it does not have anything to do with the Attorney General's Office regardless of what capacity it was in to help these young kids. We have to go back to the basics of where they're going to be put if we don't have a home to place them in and I would hope that the people in this Brighton area of the 22nd Ward would have greater compassion. There was some 40 people at that Planning Commission meeting; most of them were against it but there were some people that were for it. I think it's incumbent upon this City to say if not here, where else then, City Council, where else? It was a City program. They're mostly City kids that are involved in it. It's a mixed ratio of racial people that are going to be in there and I think we have to open up our hearts and our souls someplace along the line to help these people. We are the final determinors and I think sometimes we have to put ourselves above what we feel is the welfare of some people in one particular area.

We have many bills that come before this Council; Divine Providence was another one when they wanted to expand over there. The Mexican War Streets where some other incidents happened. But Council had the fortitude at that time to realize that the betterment of the public at large and we felt Divine Providence should be expanded and there was much expression given to us and much threat given to this Council but yet this Council, in it's wisdom, was knowledgeable enough to see the gratification of having a major hospital over there and how it would expand. And it did expand, and they did have some parking problems, but I think we can work these out.

If this home goes in there and that home violates any state law or local law, they can be thrown right out. And I think this is where we should concentrate our efforts, not on where the home is going to be located. If it was adjacent to my property I'd probably feel the same way but we must look overall at the whole City and if I had to sit here knowing that it was going to be put next door to me I'd have to welcome it because I think we have to have that generosity in our heart to welcome these young lads and to give them someplace so they don't make that second mistake and they do not go back into that criminal world and be rotated through.

It is proven, our criminologists and sociologists and our own facts and figures that have come before us, that when they're sent to a home for a step down out of a penal institution or if they go directly to a home, if they go directly to a home there is many many less repeats. They talk about robbery and crime and how it's been going up in our society, and it has been, these people have track records to prove that the people that come out of these homes are much more adaptable to our society than ones that come directly out of a penal institution without any help, any social help.

On this I ask for the mercy of the people of this neighborhood to think about what we have to vote on here today and my vote has to be affirmative because of that reason and that reason only and I ask the people of the Brighton Heights, 22nd Ward, to have mercy on these people who will be and are and have been good neighbors in the Northside.

Michelle Madoff:

I would like to make a suggestion that we move this group home out of an

area that is already congested and overburdened with community homes, group homes, and move it to the North Hills where all the freeloaders come in for $10.00 a year and the City of Pittsburgh has a billion dollar debt. That's where we ought to put it. Let's face up to it.

On the last vote, the people on the Mexican War Streets and that area were very distressed with me because I voted consistently when I said to Allegheny General, "Get your cars off the street". I had to say that to the other hospital and let them have their parking lot. We may not always vote with them and we don't always vote against them. But I think there's a responsibility here that the County pick up it's responsibility. Let's not make this Council a villian and let's not make the people a villian.

Mr. Wagner:

Members of Council, if you recall back three or four months ago we had a state facility in the City of Pittsburgh called Western Restoration Center in the Hill District that assisted the mentally and physically impaired. This Council pleaded with state government to keep that facility open to help out the residents of this City, seeing that it was the only facility of its type within the City of Pittsburgh. We did not receive at that time any support from state government, any lobbying from state government, on behalf of keeping that facility open. Now we're faced with a somewhat slightly different situation where we have the Attorney General's office trying to convince us that we should permit to be open an alternative location within City boundaries. I don't think there's any justification for them to say that this facility should be open but a facility that we knew, Western Restoration Center, that well served the City of Pittsburgh should be closed. I personally think in this particular situation the community concerns should be number one. For that reason I am suggesting that in this situation that this facility not be located where it's suggesting to be located.

Mr. Givens:

I'd like to respond to both of you, if I might. If you knew Mr. Tom Halloran, yes, he does have the Senior Deputy Attorney General's title, but you don't know the Tom Halloran after he goes home from work and what he does in his spare time and that is he works with these young kids. He sees the side of the Attorney General and the conviction and yet he has the compassion to go out with these children that have been convicted and he works with these kids on a daily basis. You have to know the individual. I wish he would have left his title off and just wrote a personal letter. I think it possibly might have had more impact on this Council because of the Deputy Attorney General.

The other thing that you mentioned, Tom was not involved in that particular one. Tom is involved not just in this facility but every facility of this kind and not just only here but throughout Allegheny County.

To respond to Michelle, you have to locate the children, and most of them are children, first time offenders —

The Chair, Pro tem:

May I interrupt you for one second? This home, it's a halfway house, it's not a group home, it's a halfway house, are people coming out of Western Penitentiary or it could be someone coming out of the prison in Philadelphia. But they are not children. They have been convicted —

Mr. Givens:

Let me finish us, Mr. President, Pro tem. Let me get back to Michelle. I indicated in my opening remarks that some of these young lads go directly to some of these facilities. I might be wrong but if not they spend minimal time at an institution before they're put in the particular home. In many cases, what I said, and apparently you weren't listening, what I said was that if you come directly from prison your ratio of coming back in and I don't know what the exact figures are, probably about 90 percent, if you go through a social mechanism of a home and try to get set up and try to get a job and get squared away in society, maybe you did your crime because you didn't have anything out there, because you didn't have a job, you didn't possibly have the backup and the family life, stable family life that would encourage one to go out and whose parents would be concerned about their children and what happens to them. Some of these kids are thrown out in the streets very early. But at the same time this home is there to provide that type of caring facility. Sure you can locate them out in Timbuktu, put them up in Erie County. That's not where the jobs are going to be; the jobs are going to be located right here in the City of Pittsburgh. They have to catch a bus to go to their interview; how can the go from way out there in North Hills someplace? Yes, the County should take in a little bit of this, I agree; and the County has homes out in various facilities of McKeesport or our larger towns and communities where we have someplaces where you can get a job. You can't get a job out in a corn field is what I'm trying to say. You have to come Downtown, generally within the City of Pittsburgh where people work. Where do they work? They work Downtown primarily, or work in neighborhoods. They're close to the transportation, the system, and the people. That's what I was trying say and that's where Michelle, I feel, is a little bit off base. Society and the people who are working in these homes are trying to train these people. You can train them for a skill so when they leave this home they can go out into the world, into our community, and not have to get back in that same cycle that they were in to start with by robbing your automobile, taking something out of your home or doing something. While they're in that home there's none of those problems. They're under direct supervision and care, they're in that place at curfew time and if they don't then they go right back to that penal institution that you talked about.

The Chair, Pro tem:

I'd just like to make one comment. I know the area very very well and I don't believe it's the place to have this type of facility. I realize the state has a problem but it can't always be the City of Pittsburgh's problem. It's about time that they place these facilities in other areas. Like you said a cornfield, at least they can pick corn. We have the highest unemployment rate in the nation right here so when you said they can get a job here I don't know where they're going to get it. If you want to retrain people it's a good place to train them, out in the cornfields.

Call the roll.

Mr. Givens:

I vote aye and I hope that the people of the 22nd Ward, Brighton Road, have compassion on my vote, that they will not use it as a vendetta against me. My compassion is there for the young people that are in a situation and it's always the other person, it's always the other neighborhood, it's always the other

community. But when it happens to be your child or your niece or your nephew, then it's a completely different dimension. You will break your back to get these people into one of these homes as quickly as possible because you know that this is where they might get another break in society. For that reason I am voting aye for this bill.

Michelle Madoff:

In response to my colleage who believes that I do not understand that these youngsters who are about 40 or 50 years old sometimes may not have the ability to get into the City, I have compassion. I not only have compassion for them but I'm going to get you a County transportation map so that you'll know that they can locate themselves in Monroeville, in Churchhill, in Forest Hills, in the North Hills, and I think that's a point that I was not off base on and I vote no.

Mr. Robinson:

I'd just like to make one other comment if I might. I think if there's anything that the City of Pittsburgh can do to help the Commonwealth with their problem, we would be more than happy to do it. Echoing Councilman Wagner's concern, we only hope that when we have a problem they are as generous with their time and their support.

Also, I think it's very important for us to remember that our primary obligation is to the people in the Pennsylvania-Brighton area. They've worked with us for four or five years to try to develop their [illegible] they're still willing to work wi[illegible]d I think they've been very [illegible]sible in addressing this problem. I think as we go on to develop that area that we'll be doing ourselves a service and also the people in that area a service. Of course I vote no.

The Chair, Pro tem:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens

AYES 1 NOES 7

VOTING NO:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	(Pres't Pro tem)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Also, with an affirmative recommendation,

Bill No. 1471

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01(a)A-33 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, for construction of an 8 story, 56 unit housing for the elderly facility with parking for 13 automobiles on property located on SWEETBRIAR STREET and PLYMOUTH STREET, 19th Ward."

Which was read.

The Chair, Pro tem:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods (Pres't Pro tem)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Grabowski presented

Bill No. 1573

Report of the Committee on General Services for October 10, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1465

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the purchase and delivery of Pressure Steam Cleaner for the Department of General Services, Code Account 4-30-01-0001-83, Index Code 370106, Miscellaneous Equipment, for payment thereof, SD 83-01."

Which was read.

The Chair, Pro tem:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods (Pres't Pro tem)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

Bill No. 1574

Report of the Committee on Parks and Recreation for October 10, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1496

A Resolution entitled, "Resolution providing for an easement and right-of-way, under, across, and over property of City of Pittsburgh to Western Pennsylvania Water Company, for property fronting on Crane Avenue containing 9.41 acres, located in the 20th Ward of the City of Pittsburgh."

Which was read.

Michelle Madoff:

I wold like to know where that property is located. Although it's a park now could it ever become anything else? Because on page two of the bill it says to have and to hold and goes on it's successors and assignees forever right-of-way unto the same grantee, it's successors and assignees forever.

Why wasn't it done before is my question and why are we coming up with a forever bill? Is it an area that we can live to regret having allowed West Penn Water to come on the area at any time?

Mrs. Masloff:

It's the corner of the property and it's fronting on Crane Avenue. It's just a corner of the park property.

Michelle Madoff:

It's 9.41 acres, a parcel containing approximately 9.41 acres. That's just the front. If the City ever wanted to do anything else with it, I can't imagine what, but maybe make some kind of a development such as Baltimore, not water but in-land, some community activity kind of buildings on that, could we not have that access?

The Chair, Pro tem:

That's just giving them the right-of-way. It's not giving them the property.

Michelle Madoff:

I understand that but if you read the bill it says to bring [illegible]avy equipment at any time, to do whate[illegible]r they want at any time. If there's a building there they can't do it.

I'm just curious as to whether there could ever be another use that the City might want to put that property to.

The Chair, Pro tem:

You can't build on top of a waterline. You need the waterlines just like in our parks right now if there's waterlines or something going through it we have to go in there with tractors or bulldozers to dig it up to get into our water. Look at our streets. It's a right-of-way to use it. It's not giving them the property.

Michelle Madoff:

I understand right-of-ways. My house had a 10-foot right-of-way and I understand what a right of way is. To get to the right-of-way in my previous house, there was no backyard and they practically had to bulldoze five feet or ten feet on either side of the house. All I'm trying to find out is, West Penn Water has been negotiating with the City and stopped the negotiations when we went to the Water Authority to buy water from us. I don't know if this would be a feeder line; it probably would be, regarless of whether they have their own water or ours, but it may not be. It might be a feeder line to supply water to our people from some other water facility for which we're subsidizing.

I would just like more information and I asked for information and I never got it.

The Chair, Pro tem:

I believe it was given to you just from what I'm telling you. We are not subsidizing West Penn Water.

Michelle Madoff:

We're subsidizing the residents

who get the water.

The Chair, Pro tem:

Exactly right. The rest of the City, other than the southern portion, we pay a cheaper rate than what they do because they go with West Penn Water.

Michelle Madoff:

I understand that, Mr. Woods. That's been my committee for six years; I've been in hot water for six years. I'm not sure that with the negotiations going on between West Penn Water that this is our feeder line or feeder line from some other place even though we subsidize the residents. I just asked the question; I was never given the information, nobody supplied it. Did I ask for it?

Mr. Perry:

You asked for it but you didn't receive it.

Michelle Madoff:

Right. We never get the information and we have a Water Department, one person's a Water Department, another is Construction and Engineering, another one is the Authority, and nobody knows what's going on and I don't want to vote if I don't know.

The Chair, Pro tem:

It's my understanding that the information was received and Mike distributed it to all Councilmembers.

Michelle Madoff:

Do you have it, Mike? Do you have it with you?

Mr. Perry:

It's in the office.

Michelle Madoff:

I haven't seen it. Could we hold it a week?

The Chair, Pro tem:

Probably you haven't seen it because I haven't seen it because I didn't look at it. But it's in my office.

Michelle Madoff:

Mike, did you give it to everybody?

Mr. Perry:

Yes.

Michelle Madoff:

When did you give it out? Friday?

Mr. Perry:

Thursday or Friday. I think it was Friday.

Michelle Madoff:

Okay, Could we hold it a week? I just think it's a forever 9.41 acres. I think we ought to ask some of the people like Paul Brophy or Jack Robin if it's ever possible that we might be doing something wrong.

The Chair, Pro tem:

Michelle, I'm sure we're not doing anything wrong.

Michelle Madoff:

That's what they said when they

voted to make Pittsburgh a second class city instead of a first class city so we can't raise the taxes. They thought then it was a good idea. We have to have a little foresight; I just want to know.

The Chair, Pro tem:

Mr. Wagner, you live in the area. Do you have any insight on this?

Mr. Wagner:

I know specifically the property in the area on that property that they're suggesting to excavate and cover but I don't know the purpose of the project. I think Councilwoman Madoff has raised some important questions. I raised the question as to the location and I did get that information but there does appear to be some additional information that has not been granted so I would support holding it for a week until we get that information.

Michelle Madoff:

Mike, specifically what I want to know is, is it a feeder line from the Pittsburgh water system?

The Chair, Pro tem:

If Council would like to recommit, fine; it's up to Council. But the information that was asked for last Wednesday at the Committee Meeting was submitted to all Councilmembers. If you want additional information, —

Michelle Madoff:

The information I asked for at the time is consistent with what I'm asking now and I haven't looked at the letter. Is that a feeder line from the City, is it from another source even though we subsidize it, and could there ever be another use for that property? Do you have any feeling about that property; would it ever be used for anything else?

Mr. Wagner:

As I indicated, it's now Banksville Park and the right-of-way they want is through Banksville Park. It is going to require some excavation of that park and some inconvenience in that park. The purpose of them doing that I don't know, and with us voting on this legislation today we are granting them that right-of-way and I think it is a good idea for us to hold it for one additional week if we don't have all the information that we need to make an intelligent decision.

Michelle Madoff:

I'd like it sent to Mr. Brophy and Mr. Jack Robin and find out what their sentiments are as to whether this property could ever be used for anything else.

The Chair, Pro tem:

Just so everyone understands, this is additional information that is being asked today other than what was asked Wednesday. The information that was asked Wednesday was provided. Today you are asking for additional information.

Michelle Madoff:

I'll say it's additional; I don't want to fight over it. It's not important.

The Chair, Pro tem:

Is there a motion?

Michelle Madoff:

Motion to hold.

Mr. Wagner seconded the motion.

Mr. Wagner:

I think a reasonable request has been made here for additional information. The City of Pittsburgh and property that the City of Pittsburgh owns, with this legislation we are permitting to grant right-of-way to a company, West Penn Water Company, without knowing all the information that we should know about what they intend to do here. For us to hold this legislation for one additional week I do not think will delay this project at all. I am simply stating that hoping that my colleagues will hold it for one week.

Mr. Grabowski:

If I could add a comment, it appears that this right-of-way is being granted gratis and maybe it might be a good idea that we put a pricetag on here since West Penn Water is a commercial operation. Maybe that's a possibility that we could explore when we do recommit and I would support recommittal.

Mrs. Masloff:

Mr. Gaetano explained that to us. He said that they never paid for this and it's not the policy to pay for right-of-ways.

Mr. Grabowski:

We can always change that policy.

The Chair, Pro tem:

On your point, Mr. Grabowski, you don't pay anybody for right-of-ways, Duquesne Light, Equitable Gas, Columbia Gas, Warner Cable.

Mr. Grabowski:

That's part of the problem with Warner Cable; they won't pay for the right-of-way.

The Chair, Pro tem:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods (Pres't Pro tem)

AYES 6 NOES 1

(MRS. MASLOFF VOTING NO)

(MR. O'MALLEY ABSTAINING)

And a majority of the votes of Council being in the affirmative, the motion was approved.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. Woods, before we go into the formal resolutions, I have a couple of items. I understand my bill, I was detained today, was introduced that no person shall be heard or seated at the Committee Table unless invited by the Chairman of the Committee in session and with the unanimous consent, and my amendment is, a two-thirds vote of the members present subject to the above exception. In other words, the Mayor at this point in time could not come to this table, or any department head or anyone that we thought had some very important

information including the President of the United States, if one member of this Council said no. We need to amend the rules of Council and this is my motion to amend and we need a two-thirds vote and I ask to waive Rule 8 so it can come up next Wednesday and we don't delay this any longer because Mr. Stone said we're under pressure deadline and things come up all the time. Let's deal with it right away.

Mr. Robinson seconded the motion.

Mr. Givens:

This is a Councilmatic matter. It's something that will not be discussed in the public because it's our own rules.

Michelle Madoff:

I wanted it that way and they said no. It has to come out here.

Mr. Givens:

It's coming out of our own book.

The Chair, Pro tem:

Dick, Council rules are by legislation and they must be discussed in the public. All in favor of waiving Rule 8? Opposed?

WHICH MOTION PREVAILED.

Michelle Madoff:

My next item. Commissioner Foerster was quoted in last Sunday's paper of having introduced legislation that really affects areas such as the Mexican War Street and other areas that are trying to revitalize themselves. This Council may remember that about two years ago I sent a copy to all my colleagues who were on Council and to every State Legislator from this area asking that we do not reassess people who have been living in these areas when the areas' taxes go up because the area has been improved and only when they move out so that we don't push our senior citizens out of the community. I'm happy to see that Commissioner Foerster, who I also sent a copy of the bill to at that time, thinks it's a worthy idea and I don't have the bill number, I have it somewhere in my office, and I would respectfully ask that Mike Perry arrange for a Sunday Press to be delivered on Monday to this Council so that we can get some articles kept here that are imporant such as that one. I'm sorry to say I didn't know about it; I learned about it from the Press but I think it's so important that we support that legislation and I don't know the number of the bill.

I would like a vote that we support the concept and that we support Commissioner Foerster and we can get the number of the bill and write a letter from this Council. I make that as a motion and I would hope I have a second to it.

Mr. Robinson seconded the motion.

Mr. Grabowski:

What is the motion?

Michelle Madoff:

The motion is that we support Commissioner Foerster's bill that would keep senior citizens and other people who are in areas that are being revitalized and the taxes going up because the area, like Mexican War Streets, and they would be able to stay there until they sell their home, he has specific time frames, and at that point the taxes would change, they would not be pushed out. He came up with the bill; I just want Council to support his bill.

Mr. Grabowski:

I'm not familiar with the article that you're referring to but I know that during the general election there's a ballot question pertaining to the same issue. It has to come about through a constitutional change. That question is on the ballot; it's something that the General Assembly has to do.

Michelle Madoff:

You mean to put it on the ballot?

Mr. Grabowski:

It is on the ballot; I know that for a fact. We'll be voting on it November 6th.

Michelle Madoff:

I didn't know what you're telling me and I thank you for the information, but all I'm asking is that this Council support the concept. I don't think any of us would not support it.

Mr. Grabowski:

I have no problem supporting it.

WHICH MOTION PREVAILED.

Michelle Madoff:

Last item. I would like to bring to Council's attention, and I'm not going to make any comment about it, I'm just going to share this information with Council. We had a meeting, a rather vociferous, argumentative, noisy meeting about Mr. Albert's departure from the City and whether he was coming back and who would fill his seat. I don't think there's anybody on this Council who has any ill will towards Mr. Al D'Alessandro; I think in his previous job he did very well. But when a new job opens up with the magnitude of one that Mr. Eddie Albert had, we all know what he did, I don't believe that we should be having someone trained for the job on the job. I have a copy of the training and blueprint reading and there's been trainings and everything for Mr. D'Alessandro instead of putting that job up for bid and letting qualified people apply for that job. I think that is absolutely unfathomable to me that we should not have in the Captial Budget Engineering Department the most qualified person we can find for that job.

The Chair, Pro tem:

That memo is in error. Instead of saying "training" it should have said "reviewing".

Michelle Madoff:

Its says training and blueprint reading. I can read; that's what it says.

The Chair, Pro tem:

And I said that it was in error because I called the same Director and questioned it. It was reviewing and it was a typo.

Michelle Madoff:

I will accept the typo but I will ask you has there been any other reviewing in any other departments for Mr. Al D'Alessandro and is it not true that he is being trained on the job to keep him in that job?

The Chair, Pro tem:

I'm not going to debate this; I'll make one statement. Mr. Al D'Alessandro has been doing a job I believe for seven months. He goes out on all the construction sites —

Michelle Madoff:

That's not the subject matter before us.

The Chair, Pro tem:

I am telling you that he goes out on the construction sites and he reviews all the drawings, all the reports by different contractors and that is what that job entails.

Michelle Madoff:

Would Mr. Al D'Alessandro be willing to have somebody who is an expert in blueprint reading, an engineer or an architect, sit down with him and have him read blueprints for him? I don't think he has the experience.

The Chair, Pro tem:

I'm going to cut you off. I don't think at this time we should be discussing this position.

Michelle Madoff:

At some point we have to discuss the position.

Mr. Robinson:

Mr. Woods and members of Council, two quick items. One relates to our consideration of appointees to the Minority Business Enterprise Review Committee. On at least three occasions I've asked for Council's cooperation in trying to get that Committee reorganized in such a fashion that they can function and I certainly thank all members of Council for their patience in this regard.

I have had occasion to discuss this matter with the Mayor and with the President of Council, Mr. Stone. I believe that by next Wednesday we can have this issue resolved to the extent that we can bring in at least the group of nominees presently before us.

There are four bills that I introduced into Council today that relate to the organization and functioning of the Minority Business Enterprise Review Committee. I did discuss these bills with the Mayor earlier today and agreed to send them to him for his review. I'm hoping that the Mayor will have an opportunity to personally review these in the next couple of days and that we will be able to come to some sort of agreement as to how that Committee could structured so it will function.

I think everybody that's worked on this issue to date agrees that the Committee should be effective, should be substantive, and should be credible and I believe by next Wednesday we will be able to have some of the Mayor's appointees come before us for consideration. So, I'd like to have Council's indulgence at least until next Wednesday before we consider any of the appointees and I certainly will share with you any information that comes out of any discussions with the Mayor on this matter.

The other issue is perhaps much more immediate. It relates to the Grant Liberty Development Project. As Council knows, we have in the City of Pittsburgh, been unable to move this project to the point that we can break ground.

Without rehashing the history of this project, I did have occasion to talk with Mr. Brophy, the Executive Director of our URA, with Mr. Tom Greausure from Metropolitan Life Insurance Company, one of their Vice-Presidents who is in charge of this project, Mr. Albert Rattner who is the President of

Ford City Development and the person that is solving the problems for the Grant Liberty Development Group.

November 2nd is the last legal deadline that the developers in the City can come to agreement on this project. In the spirit of cooperation, I introduced legislation today that would initiate a process to find new developers and new private money subject to a November 30th deadline. There are those in City government who believe that the November 2nd deadline is more than adequate. I believe that we should go the extra mile with the Grant Liberty Group but no further than November 30.

The post agenda that I asked to have scheduled for Wednesday I would like to have cancelled in view of the conversations that I've had with Mr. Rattner, Mr. Greausure and Mr. Brophy and in light of the fact that I have introduced legislation that will be on the agenda Wednesday. Mr. Brophy will be available in Council on Wednesday to comment on the legislation. It suffices to say that both Mr. Brophy and I agree which some people may find humorous, but we agree that we should, that is, the City, URA, the Mayor and Council, should indicate to the developers that we want a spade of dirt to be turned and if they won't turn it we'll find somebody else to turn it. This is the twelfth hour for this project.

Mr. Brophy and I both agree that we must put into works right now a contingency plan. That contingency will be on the table this Wednesday; Mr. Brophy will be here to discuss it, I will be available to discuss it, and I wanted to share with Council my concern and hopefully all of your concern that we move this project. So, the post agenda will be cancelled and Mr. Brophy and I will be availabe on Wednesday to talk about this contingency plan.

Michelle Madoff:

On the same subject. Mr. Robinson, I have been approached by another group who would like to come into the area. I have their card with me and I would like to talk with them on the line and perhaps you would speak with them on the other phone in our office.

You cannot really go out and get a contingency backup plan if we're going to really extend the date until the 30th because you can't ask people to commit monies until it's resolved one way or the other.

I'm asking to either resolve it, that it is indeed over November 2nd and we go out and look and not to extend it because I have another source of funding.

Mr. Robinson:

Let me just make one comment. The developers are in default. We could begin to take legal action today. Almost one year ago today Councilman Robinson asked this Council, the Mayor and URA to find new developers and fresh money. Council decided to give the developers and extension of six months. It's a year later and they have yet to turn a spade of dirt. But Councilman Robinson is still willing to go the extra mile. I'll go to November 30th to get this project going. I want to see this hotel and office complex and I want to be a part of a positive solution to this problem but there's a point at which we must find fresh money and fresh developers if these present developers can't move.

Michelle Madoff:

Is that a motion that we give them 30 days, Mr. Robinson?

The Chair, Pro tem:

No, that will be discussed on Wednesday.

Mr. Givens presents

No. 1575 WHEREAS, the Western Pennsylvania Hospital has been an integral part of the Bloomfield community since 1912; and

WHEREAS, West Penn is the fourth largest hospital in the Pittsburgh metropolitan area and one of the finest health care facilities in Pennsylvania; and

WHEREAS, West Penn provides 2,500 jobs for our local economy; nearly one-third of those staffed by Bloomfield residents; and

WHEREAS, Steven Caywood, Executive Director and Chief Executive Officer of West Penn, has lead the way for the hospital's outreach into the Bloomfield community; and

WHEREAS, on Saturday, October 13, 1984, the hospital will offer the local residents health examinations for free, and the community will respond with a neighborhood festival of song, entertainment, and commerce.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh give our support to the Bloomfield/West Penn Health Fair and Fall Festival; and tribute this unique partnership and the cooperative efforts of the hospital and the community.

Mr. Givens moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Givens:

I wish all of you could have been there up at the West Penn Hospital; I think you all received invitations or it was something of public knowledge. They offered to the local community, that particular hospital, some 15 to 20 tests that would cost the average person, if they were to go in and give that out of their own pocket, some $250.00. It was unbelievable but I think it was a great partnership and relationship in showing the type of leadership that West Penn Hospital now has in their further commitment to the neighborhood. Even when they had to close down a few of their wings, one wing or two wings of their hospital this summer, through the generosity of their own and keeping their morale up, they were able to keep all their employment even though their hospital patient staff went down very low.

They've really bent over backwards to cooperate with the people in that particular area and this is another outgrowth of that. There were thousands of people that were given free, probably many of them for the first time in their lives, and many of them were elderly that do not have that access to doctors unless they have to pay for it. And you know what a doctor's office visit costs today.

I thought it was very wonderful for the hospital to do that, and their Chief Executive Office and the people of their staff, and it did show a great harmony between the Bloomfield community and the West Penn Hospital which employs some 2,500 people, 35 percent of them right from that adjacent area, Bloomfield, Larrenceville and Garfield. Thank you.

Mr. Grabowski presents

No. 1576 WHEREAS, on October 13, 1984, the West End Pulaski Society Lodge 1052 of the Polish National Alliance celebrates the 75th Anniversary of its existence; and

WHEREAS, the Polish National Alliance is the largest Fraternal Society of Poles in the entire United States; and

WHEREAS, Pittsburgh's West End Pulaski Society was founded by Polish immigrants who wanted to maintain a spirit of fraternalism among the Poles in the West End section of the City; and

WHEREAS, this organization is a viable institution in the West End, which supports the community in sports activities, programs for the young and elderly, and many other endeavors; and

WHEREAS, throughout the years the West End Pulaski Society has and continues to evoke a deep sense of history and ethnic heritage for the residents of the West End and for the entire City of Pittsburgh.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City Council hereby recognize and honor the West End Pulaski Society Lodge 1052 of the Polish National Alliance on their 75th Anniversary, and publicly acknowledge the great deeds and cooperative spirit this organization contributes to the West End Community.

BE IT FURTHER RESOLVED, that this Council wishes to thank the Society for preserving and perpetuating the high ideals, customs, and culture of the Polish people throughout the City of Pittsburgh.

Mr. Grabowski moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Grabowski:

I'd just like to say, Mr. President, that Saturday I attended this anniversary. It was held at the St. Martin's Church hall over in the West End area and I actually presented the resolution at that time to the officers. I cautioned them not to hang that plaque on their wall until after Monday because, you know, Council does have the reputation of being somewhat unpredictable. But I told them that if we didn't pass the resolution they could hang the members of Council who voted against it.

Thank you.

Mr. O'Malley:

I'd like to have Sergeant Carroll Byrne come up. Officer Byrne is head of our community relation officers and also Wendy Gratz. Wendy is the Executive Director of PNA.

Mr. O'Malley presents

No. 1577 WHEREAS, October 22, 1984 through October 26, 1984, is "National Crime Prevention Week;" and

WHEREAS, from the beginning of our nation, law enforcement has served as the touchstone in safeguarding the rights and freedoms of our citizens; and

WHEREAS, the Community Crime Prevention Coalition serves as a useful forum for sharing information and ideas, developing priorities and strategies to advocate for community based crime

prevention; and

WHEREAS, the Coalition also provides limited technical assistance in developing community-based crime prevention programs through such dedicated neighborhood organizations as Community Relations/Pittsburgh Police, Womenspace East, Center for Victims of Violent Crimes, Perry Hilltop Citizens Council, Peoples Oakland, Pittsburgh Action Against Rape, Point Breeze Neighborhood Association, Pittsburgh Neighborhood Alliance, Squirrel Hill Urban Coalition Neighborhood Centers Association, West End/Elliott Citizens Council, Knoxville 30th Ward Block Club, Women's Shelter; and

WHEREAS, the FBI reports that a crime occurs every two seconds, a violent crime every twenty-four seconds, a property crime every three seconds, a murder every twenty-three minutes, forcible rape every six minutes, robbery every fifty-eight seconds, burglary every eight seconds, and other crimes all too frequently.

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend all members of the Community Crime Prevention Coalition for their concern and activities in alerting our citizens to the growing menance and cost of crime, and in stimulating public interest in year round crime prevention activities as we join the nation in proclaiming October 22-26, 1984, as "Crime Prevention Week."

Mr. O'Malley moved to adopt the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. O'Malley:

I'd like to thank my colleagues and I'd also like to thank Officer Byrne and Wendy for the outstanding job they've done. I've had the pleasure of working with them for a number of years now and as the Councilmember that originally brought the Block Watch Program to the City of Pittsburgh five years ago, the outstanding job that has been done couldn't have been done without their cooperation.

Ms. Gratz:

Thank you, Council. I want to thank all of you for recognizing our efforts today. On behalf of the Community Crime Prevention Coalition, I think we have two very special things in addition to just being crime prevention week to celebrate this year. This is the fifth annual Crime Prevention Week for Pittsburgh; once again, Governor Thornburg declared October as Crime Prevention Month. There's two very special things; one is that the State of Pennsylvania was declared by the National Association of Crime Prevention as the number one in the national for crime prevention activities. Pittsburgh was declared as the number one in this particular state. We have over one-third of all crime prevention activities taking place right here in Pittsburgh and Allegheny County. I think a lot of that is credited to the efforts of Council and the support that they've given Block Watch activities, the Lock Program, the Smoke Detector Program, centers for victims of violent crime and on and on, all the different activities that are taking place in this are which we've gained your support through over the years and hope to continue to have your support on those particular activities.

The second thing that we would

like to make note of this year is that for the first time it's a county wide effort. It's not just the City of Pittsburgh celebrating this and we've been able to solicit the support of the Southwestern Pennsylvania Crime Prevention Coalition to participate in all of our activities. We'd like to invite all of you to attend those activities and it will be most convenient for you since most of those activities will be taking place downstairs here in the City County Building. From October 22nd through the 25th there's going to be an information forum where different types of representation throughout the County will be present with tables disbursing information, different Block Watches throughout the community will be represented, insurance companies and so forth. On Thursday, October 25th, in the evening, we're going to be having a special recognition reception where various people from the legal sector, the community, several different levels of participation in crime prevention activities will be awarded that evening. It's at 7:30 at the Student Union of the University of Pittsburgh; you're all certainly invited and should be getting invitations in your mail any day.

I'd like to introduce some very special people who have been sitting here today. In the back of the room is Kathy Griffin who works for Neighborhood Centers Association as well as Pittsburgh Neighborhood Alliance. She is also Chairperson of this event this year and probably should be standing up here instead of myself.

Behind her we have the staff of Communities Organized For Public Safety which is Pittsburgh Neighborhood Alliance's Block Watch Program as of last year.

One other very special recognition I'd like to quickly make is Councilwoman Sophie Masloff and her effort in helping us this year by supporting some of the awards that we're going to be giving out.

Thank you.

Sergeant Byrne:

I want to thank you for what you've helped us with for the past few years. Again, look in your midst and you will see the crime prevention efforts that have continually been going on by things that you've done in Council. Councilman O'Malley has been pushing Block Watch for years, a fingerprinting program has come up recently through Councilwoman Sophie Masloff, and a Council assistant, head to the 30th Ward Block Watch, is getting a lot of crime prevention work done. We're number one in the number one state. Pittsburgh again has come forth with a community effort that is second to none anywhere in the United States. Much of that has come from the support of the groups and organizations which come to you throughout the year. The people that you see, we see, and we work with. It has become recognized thoughout not only Allegheny County but Southwestern Pennsylvania.

Downstairs next week, between the hours of 10 and 2, Monday through Thursday, you will see officers from around Allegheny County giving displays of what they have done in the way of crime prevention. You're going to see the backbone, the grassroots people showing what they've done in their communities. They're proud of it. We're proud of the way we've helped them. You're going to see what Pittsburgh Neighborhood Alliance has been doing with a Block Watch Program that they've been involved with for over a year and a Lock Program. I think you're going to see things that we should be proud of and things that are going to grow. We have

had a decreasing crime rate recently; part of that goes because of Block Watch.

Again, I would like to applaud everybody and all their efforts and invite you once again the night of October 25th. We're going to be having a little affair, 7:30 in the evening, in the Pitt Student Union. We would really appreciate you coming and seeing what we're all about. I speak not only as a City Police Sergeant but also as a representative for the Crime Prevention Officers of Southwestern Pennsylvania. It's very good to have these affairs but they mean things and they mean things every day.

I want to thank you for what you've done for us and, once again, we're looking forward to seeing you. Thank you.

The Chair, Pro tem:

Thank you.

Mr. Robinson:

Mr. Woods and members of Council, for the last few years Council has been kind and generous enough to honor those who are working on behalf of many people in our county, in our commonwealth, in our nation and around the world who go hungry. While there are some in this country who do not believe that there are hungry people, those who work day to day in the efforts to relieve hunger and starvation know otherwise.

This Council should feel very proud to have been in the forefront of helping to establish a food bank in our City prior to there being any crises of national proportions.

I'd like to have Joni Rabinowitz from the Hunger Action Coalition come forward to receive this resolution.

Mr. Robinson presents

No. 1578 WHEREAS, hunger and chronic malnutrition affect over 450 million people throughout the world, hurting most those children under the age of five; and

WHEREAS, there are residents of Allegheny County who daily suffer the effects of hunger and its related diseases, especially among certain groups such as single parent families, migrant workers, and the elderly; and

WHEREAS, the world hunger problem is critical to the security of the United States and the international community; and

WHEREAS, a key recommendation of the Presidential Commission on World Hunger was that efforts be undertaken to increase public awareness of the world hunger problem; and

WHEREAS, the 147 member nations of the Food and Agricultural Organization of the United Nations designated October 16th as "World Food Day" in order to alert the public to the dimensions of the world food problem, and to strengthen the commitment of the global community toward finding a solution for hunger and malnourishment; and

WHEREAS, the Pittsburgh area is celebrating "World Food Day" this October 16, 1984 as a means to inform people of food, nutrition and hunger issues.

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh on

behalf of the citizens of Pittsburgh does recognize October 16, 1984 as "World Food Day" in the City of Pittsburgh.

Mr. Robison moved to adopt the resolution.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. Robinson:

Before Ms. Rabinowitz makes her comments, I'd like to say that Joni has been very active, as many of you know, here in the City on behalf of many worthy and community causes. I don't think there's any effort that she's worked any harder on or for which she deserves more credit than her efforts on behalf of those who are hungry and starving. The hunger problem is real in America and it's real in our county. For Joni and others who have worked day and night on this problem, they certainly have my gratitude and I'm sure the gratitude of many people who, without their help, would indeed be hungre for a long time.

Ms. Rabinowitz:

I want to thank Council and especially Councilman Bill Robinson for the fouth year in a row for recognizing World Food Day and helping us to bring the cause of world hunger to the Pittsburgh people.

As I'm sure you know, the causes of hunger in this country as well as in the world are pretty much the same and they have to do with poverty and powerlessness of lots of people who are unable to provide for their own needs.

City Council has in the last year responded very generously to our requests for financial help in our work in the last year and what we're hoping for in the coming year is to be able to establish an ongoing relationship with Council or with a committee of Council that would be able to help us in an ongoing way in the Pittsburgh area to both analyze, monitor, and begin to respond in an ongoing way to the hunger problems in the Pittsburgh area because, as you know, we don't solve hunger by a one-shot feeding and we don't solve hunger by throwing money at the problem, but we do solve hunger by looking at the long-term problems and long-term solutions which involve long-term development, employment, and eradicating poverty.

Again, I hope that over the next year we will be able to work together in an ongoing way to fight this problem. I do want to invite Council and anybody else who is interested to attend our activities tomorrow which is World Food Day and which will be occurring the Oakland and the Shadyside area. In the morning we will be having a panel presentation on issues of world hunger which will be at the University of Pittsburgh in the Student Union and we expect to have a very exciting program. We have a number of speakers from outside the City who are coming to speak about the issue of women in agriculture which is the focus of World Food Day for this year. Later in the morning there will be a national teleconference which will be broadcast thoughout the nation and it will be at the University of Pittsburgh and again this will be public officials from both the United Nations and also the United States Government who will talk about their efforts on behalf of fighting world hunger and then there will be able to be responses from the different cities to the comments by the public officials. Again, I think this is going to be a very interesting day.

In the evening beginning at 6:00, we will be having a simple meal at the

Unitarian Church in Oakland and at 7:00 we will be having a town meeting format with Congressman Bill Coyne where we will be discussing the question of hunger as a public policy issue. He will be presenting some of his concerns that he's been working on in Congress and we will be given the opportunity to ask him questions about his role and the role of Congress in fighting hunger locally and also abroad. At 8:30 in the evening at the same church, the Unitarian Church, we will be having a concert by Fred Small who is a very well-known and very excellent folk singer from the Boston area who will be able to close out our evening tomorrow.

Again, I want to thank you for your attention to this issue, for your concern for the hungry of Pittsburgh and for the world and I'm sure that we will be seeing much of you in the coming year. Thank you very much.

The Chair, Pro tem:

Thank you.

This next resolution has my name on it but on behalf of Council I think we all agreed to sponsor this next resolution.

Would Suzanne McFarland please come up?

Mr. Wagner for Mr. Woods presents

No. 1579 WHEREAS, the issues of child abuse and child abduction are becoming more prevalent in our society, and summon our utmost attention; and

WHEREAS, VTR Movie Distributors is sponsoring "Strong Kids, Safe Kids Day" in the City of Pittsburgh and will provide parents with the opportunity to have their children "videoprinted", which is an identification tag to be used in protection against and in the event of child abduction; and

WHEREAS, each videoprint will be placed on a videocassette which will be submitted to the local police department in the area of the video store in which the print was made; and

WHEREAS, this program has been designed in conjunction with Paramount Home Video's vidiocassette release "Strong Kids, Safe Kids", which teaches basic skills to parents and children in a friendly way which can help prevent sexual abuse and other danagerous situations; and

WHEREAS, this program has gained overwhelming support from many local organizations who take special interest in children and child safety.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City Council hereby declare October 20, 1984, as "Strong Kids, Safe Kids Day" in the City of Pittsburgh to focus attention on the serious problem of child abuse, and encourage our citizens to participate and support this worthy program which enhances in our children the values of human dignity and self respect, and makes them "Strong Kids, Safe Kids".

Mr. Robinson moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Ms. McFarland:

On behalf of VTR Movie Distributors, Paramount Pictures Home Video and all the retailers and local organizations who are involved in Strong Kids, Safe Kids Day, I appreciate your

support and interest in our program and I'd like to make a special thanks to Councilman Ben Woods and Mr. Al D'Alessandro for their help.

Thank you.

Mr. Robinson moved to approve the Minutes of Monday, October 1, 1984.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Robinson moved to excuse Mr. Stone for absence from the meeting.

Mr. O'Malley seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Robinson**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, October 22, 1984 No. 41

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, October 22, 1984

PRESENT:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Givens presented

No. 1580 Resolution transferring the amount of $125,000.00 from Code Account 1608, Salaries & Wages, Regular Employees, Index Code 160804, Dept. of Public Works, Bureau of Operations, to Code Account 1501, Premium Pay, Index Code 150102, Dept. of Public Works, Director's Office.

Which was read and referred to the Committee on Finance.

Also,

No. 1581 Resolution granting unto YWCA 305 Wood Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Row of Banners over on a portion of the sidewalk of 305 Wood Street in the 1st Ward of the City of Pittsburgh.

Also,

No. 1582 Resolution granting unto Barton Motors Company, 2237 Saw Mill Run Boulevard, their successors and assigns, the privilege and license to construct, maintain, and use at their own cost and expense, three sign post, and additional parking spaces on a portion of the right-of-way at 2237 Saw Mill Run Boulevard, in the 32nd Ward of the City of Pittsburgh.

Also,

No. 1583 Resolution accepting the grading, paving, curbing and sewers, in Irwin Avenue, Chester Avenue, and Burgess Street as shown on the Clifton Park Project PA.R.440 Sections 2 and 3 in the 27th Ward, City of Pittsburgh, by the Urban Redevelopment Authority for public highway purposes, fixing the

widths and positions of the roadway and sidewalks and accepting the grading, paving, curbing and sewers thereof.

Also,

No. 1584 Resolution taking, appropriating and condemning, by the City of Pittsburgh for public improvement purposes, certain property of Michael J. and Emile Casiglio (23-J-180), situated along Pennsylvania Avenue in the 25th Ward of the City of Pittsburgh.

Also,

No. 1585 Resolution changing the name of Second Avenue, from Ross Street in the 1st Ward of the City of Pittsburgh to Court Place.

Which were severally read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 1586 Resolution providing for the issuance of a warrant in favor of Fruehauf Corp. in the amount of $1,567.22 for emergency repair of City's gas tanker, payable from Code Account No. 1150, Outside Repairs, Dept. of General Services.

Which was read and referred to the Committee on Finance.

Michelle Madoff presented

No. 1587 Resolution transferring $163,000.00 from Code Account No. 1932 Utilities (193201) to Code Account No. 1931 Municipal Obligations for Non-City Water Agencies (193102) $150,000.00, to Code Account No. 1935 Equipment (193508) $10,000.00 and to Code Account No. 1933 Supplies (193500) $3,000.00.

Which was read and referred to the Committee on Finance.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also,

No. 1588 Resolution providing for the publication of two research studies in the Applied and Environmental Microbiology Journal, compiled by Dept. of Water employees, Dr. S.J. States and Dr. J.M. Kuchta, along with other associates, relative to treatment of legionella pneumophila in public water supply, at a cost not to exceed $800.00, chargeable to and payable from Code Account No. 1930, Misc. Services (193003).

Which was read and referred to the Committee on Water.

Also,

No. 1589 Resolution providing for the issuance of a warrant in favor of Laurel Installations & Supply, 111 Roosevelt Boulevard, Johnstown, PA 15907 in the amount of $1,835.00 in payment for extra work and return of unused material-City Controller's No. 26868-Installation of large industrial meters by contract, payable from Capital Budget Account No. WD-83-19.

Which was read and referred to the Committee on Finance.

Mrs. Masloff presented

No. 1590 Resolution authorizing

the issuance of a warrant in favor of Yellow Freight System, Inc., in the amount of $369.77 in payment for delivery service of cement sculptures in the Dept. of Parks and Recreation, payable from Code Account Phipps Conservatory Trust Fund, Index Code 253153, Dept. of Parks and Recreation.

Also,

No. 1591 Resolution authorizing the issuance of a warrant in favor of American Association of Zoological Parks and Aquariums, in the amount of $888.46 in payment for Accreditation Visiting Committee expenses in the Dept. of Parks and Recreation, payable from the Aviary Trust Fund.

Also,

No. 1592 Resolution authorizing the issuance of a warrant in favor of Chujko Bros. Inc., in the amount of $8,498.40 in payment of the rental of tables and chairs for the Summer Food Service Program, chargeable to and payable from Code Account SSFSP (270256), Dept. of Parks and Recreation.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1593 Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting interim approval for payment of the purchase of ten Scarlet Ibis and for payment of all related importing and quarantining costs, at a cost not to exceed $6,000.00, payable from Code Account ATF.

Also,

No. 1594 Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting authorization for Michael A. Senko to attend the 1984 Pennsylvania Conference on Aging in Philadelphia, PA, on November 26-28, 1984, at a cost not to exceed $520.00, payable from Code Account No. 1843, Dept. of Parks and Recreation, Bureau of Recreational Activities/Senior Citizens.

Which were read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 1595 Resolution amending Res. No. 1160, approved December 23, 1983, eff. December 31, 1983, entitled: "Providing for an Agreement or Agreements with a psychologist or psychologists for professional psychological services for the Dept. of Police," by increasing the total allocation from $23,338.00 to $27,338.00.

Also,

No. 1596 Communication from Glenn M. Cannon, Director, Emergency Medical Services, requesting authorization for Douglas Garreston to attend the EPA's Hazardous Materials Incident Response Training Course in Edison, N.J. on September 23-28, 1984, at a cost not to exceed $600.00, payable from Code Account EMNEAS, Emergency Medical Servcies Non-Resident Emergency Ambulance Trust Fund. Prior approval granted by Council, September 13, 1984. Permission is also requested for use of a City vehicle.

Also,

No. 1597 Communication from Glenn M. Cannon, Director, Dept. of Emergency Medical Services, requesting authorization for himself to attend the Educational Conference of the Pennsylvania Ambulance and E.M.T. Association, in Altoona, PA, October 12-

14, 1984, at a cost not to exceed $250.00, payable from Code Account EMNEAS, Emergency Medical Services Non-Resident Trust Fund. Prior approval granted by Council, October 2, 1984. Permission is also requested for use of a City vehicle.

Which were severally read and referred to the Committee on Public Safety.

Mr. Robinson presented

No. 1598 An Ordinance amending the Pittsburgh City Code, Title Two, Fiscal, Article IX, Property Taxes, Chapter 263, Real Property Tax Section 1 Levy and Rate on Lands and Buildings by imposing the Real Property Tax for 1985.
—(SPONSORED BY MR. ROBINSON)

Which was read and referred to the Committee on Finance.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 1599 An Ordinance amending the Pittsburgh City Code, Title Four - Public Places and Property, Chapter 543 - Urban Homesteading.
—(SPONSORED BY MR. ROBINSON)

Also,

No. 1600 An Ordinance amending the Pittsburgh City Code, Title I - Administrative, Article IX - Boards, Commission and Authorities, Chapter 174 - Vacant Property Review Committee - 174.01 Creation and Powers.
—(SPONSORED MR. ROBINSON)

Also,

No. 1601 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 6 by changing from "S" Special District to "R3" Multiple-Family Residence District certain property located along the southerly side of HASLAGE AVENUE near WITT STREET identified as Lots No'd. 348, 349 & 315, Block 24-A in the Allegheny County Block and Lot System, 24th Ward.

Also,

No. 1602 Resolution providing for the designation as a Structure of Historic and Landmark Significance under Section 3 of Ordinance 20, approved July 30, 1979, that certain structure known as the "Stanley Theatre", located at 201-213 7th Street, 700-722 Penn Avenue, 719-725 Liberty Avenue, Block and Lot No. 1-D-57; 2-A-4 and 5), 2nd Ward, City of Pittsburgh.

Also,

No. 1603 Resolution providing for the implementation of a Residential Permit Parking Program in the Bloomfield community pursuant to Pittsburgh Code, Chapter 549.

Also,

No. 1604 Resolution authorizing a Third Amendatory Industrial Land Reserve Fund Cooperation Agreement with the Urban Redevelopment Authority of Pgh. providing for the reimbursement of the Authority for a portion of the cost of acquisition of the J & L Site, and providing for the transfer to the Authority of the sum of $1,000,000.00,

chargeable to and payable from Industrial Building, Site Analysis, and Engineering Project No. 4-45-22-0003-84.

Also,

No. 1605 Resolution approving the procedures for the administration of UDAG/HODAG grants as submitted by the City Solicitor and provided for in Resolution No. 1065 of 1983 as amended by Resolution No. 722 of 1984.

Also,

No. 1606 Communication from Robert H. Lurcott, Director, Dept. of City Planning, requesting authorization for Caroline Boyce to attend the National Preservation Conference in Baltimore, Maryland, on October 23-27, 1984, at a cost not to exceed $750.00, payable from Code Account No. 1984 CDPA, No. 4-35-01-0012-84-49-84-35. Prior approval granted by Council October 15, 1984.

Also,

No. 1607 Communication from Robert H. Lurcott, Director, Dept. of City Planning, requesting authorization for Ed Wells and Joe Imbimbo to attend the U.S. Census Regional Geographic Areas Training Conference in Washington, D.C., on November 6-7, 1984, at a cost not to exceed $350.00, payable from Code Account No. 1984 CDPA, Account Project No. 4-35-01-0012-84-49-84-35.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 1608 Resolution further amending Res. No. 802, eff. 7/27/78, as amended by Res. No. 631, eff. 8/2/84, entitled: "Providing for an Agreement or Agreements for Professional Services in connection with the South Side Riverfront Park; and providing for the payment of the cost thereof," by increasing the total allocation from $115,000.00 to $117,450.00.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Woods seconded the motion.

Which motion prevailed.

Also,

No. 1609 Resolution further amending Res. No. 1218, eff. 12/31/79, as amended by Res. No. 78, eff. 2/22/80, as amended by Res. No. 430, eff. 6/6/84, entitled: "A Reslution providing for a Contract or Contracts for Engineering and Architectural Services for Grant Street & Liberty Avenue Design, Ft. Pitt to Liberty, 7th to 12th; providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pa., Dept. of Transportation," by amending the title and by increasing the total project allocation by $89,000.00.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Woods presented

No. 1610 Resolution providing for the issuance of a $1,300.00 warrant in

favor of Martin & Jacqueline Rubin and Phillip & Sara Goodman for sidewalk damage due to City tree roots, payable from Code Account No. 46, Judgments.

Also,

No. 1611 Resolution providing for the issuance of a $1,867.66 warrant in favor of Harvey Klobuchir for auto damage by a Dept. of Public Works vehicle, payable from Code Account No. 46, Judgments.

Also,

No. 1612 Resolution providing for an Agreement or Agreements with the University of Pittsburgh for professional services for the preparation of the Annual Defense Spending Report for the City of Pittsburgh for the years covering 1984, 1985 and 1986, inclusive, at an annual cost not to exceed $6,000.00, for each of the said years, subject to the appropriation of sufficient funds in each year, payable from Code Account No. 1063, Misc. Services, Dept. of Finance.

Also,

No. 1613 Resolution Repealing Res. No. 16, approved January 26, 1984, eff. January 31, 1984, entitled: "Providing for an Agreement or Agreements with Equibank, a commercial banking institution, for professional services in connection with the collection of Earned Income Tax Forms and direct deposit of Earned Income, Mercantile, Business Privilege, and Institution & Service Privilege tax payments; providing for the payment of the cost not to exceed $28,700.00, chargeable to and payable from Code Account No. 1063, Misc. Services, Dept. of Finance; and shall require the confidentiality of all banking institution personnel."

Also,

No. 1614 Resolution providing for a license to Warner Cable Corporation of Pittsburgh, its successors and assigns for access on, over and across City property abutting Crane Avenue, being a portion of Banksville Park, for the sole purposes of ingress, egress and regress to and from Warner's property to Crane Avenue by an existing driveway on the City's said property.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 1615 Petition from the residents of Hazelwood, requesting a public hearing concerning the recent destruction of a portion of the Hazelwood Greenway, adjacent to Manitoba Street. Approximately 60,000 square feet of wooded public land has been bulldozed and otherwise prepared as a site for a future radio tower by a private developer. Also, requesting that Council prevent any further damage to the Greenway and that Council take the necessary steps to insure that the developer restores the damaged public property to its original Greenway condition.

Which was read and referred to the Committee on Planning, Housing and Development.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 1616

Report of the Committee on Finance for October 17, 1984 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1497

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Jurgen Schulz, Animal Dealer in the amount of $2,400.00 in payment for transporting one female Reticulating Giraffe from the Erie Zoo to the Pittsburgh Zoo and one female River Hippopotamus from the Pittsburgh Zoo to the Grand Prairie Zoo near Fort Worth, Texas, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1498

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of the Erie Zoo in the amount of $7,500.00 in payment for one Giraffe delivered to the Pittsburgh Zoo, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1499

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Jurgen Schulz in the amount of $30,000.00 in payment for three Giraffes delivered to the Pittsburgh Zoo, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1519

A Resolution entitled, "Resolution providing for the issuance of the following warrants: Nello Construction Company in the amount of $139,173.35 and Imperial Floor and Drape, Inc. in the amount of $17,714.69, in payment for Emergency Contracts furnished for the benefit of the City in connection with the Renovation of City Council Offices, Phase II; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES 1

(MR. GIVENS VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill's passed finally.

Also,

Bill No. 1520

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Domenic Parente Contractors, Inc., in the amount of $69,286.24, in payment for an Emergency Contract for the replacement of waterlines and appurtenances on Torley Street from Pearl Street to Friendship Avenue; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1521

A Resolution entitled, "Resolution providing for the transfer of funds in the amount of $500.00 from Code Account 1020, Index Code 102004, Equipment to Code Account 1018, Index Code 101808, Supplies Account, Office of the Mayor."

Which was read.

Also,

Bill No. 1545

An Ordinance entitled, "An Ordinance amending the Pittsburgh City Code, Article I - Administrative Chapter 161.19(d) by adding additional procedures." **—(SPONSORED BY MR. ROBINSON)**

Which was read.

Also,

Bill No. 1548

A Resolution entitled, "Resolution providing for the enforcement of contract agreements for Affirmative Action/Equal Employment Opportunity and Minority and Womens Business Development opportunities under Ordinances and Resolutions authorizing the Cable Communications Franchise Agreement, City of Pittsburgh." **(SPONSORED BY MR. ROBINSON)** (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 1617

Report of the Committee on Public Works for October 17, 1984 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1396

A Resolution entitled, "Resolution providing for the transfer of the cable television franchise from Warner Cable Corporation of Pittsburgh to Pittsburgh Tele-Communications, Inc., for the extension of the term of the franchise." **—(SPONSORED BY MR. GIVENS)**

Which was read.

Also,

Bill No. 1397

A Resolution entitled, "Resolution providing for an Agreement with Warner Cable Corporation of Pittsburgh and Warner-Amex Cable Communications, Inc., relieving them of certain rights and responsibilities in a cable television franchise." **—(SPONSORED BY MR. GIVENS)**

Which was read.

Mr. Givens:

I'd like my remarks from Wednesday to be brought forward and congratulate all those parties that have been involved in the past in bringing this to its fulfillment and congratulate Telecommunication Inc. and hopefully they will carry on in the good spirit that Warner Cable has carried on over the last several years by giving a product to the people of the City of Pittsburgh they purchase and pay for but their maintenance and upkeep has been excellent and I hope that TCI would follow that course of action.

Michelle Madoff:

I would like my comments to be brought forward with reference to Warner and the sale to PTCI. I think it would be appropriate at this time to thank and commend Brother Richard for the tremendous job he's done in really arbitrating and bringing all parties together in working out the concerns that this Council had and we wouldn't have voted had the number of people who were not going to be connected to the system brought down to an acceptable level. I would hope that TCI which does not have the best reputation in the

suburbs for service would live up to what Mr. Bent has done with Warner, giving over 90 percent continuous service, and I will be watching them closely as will other members of this Council. I vote aye.

Mr. O'Malley:

I vote aye and I'd just like to welcome TCI to Pittsburgh.

Mr. Robinson:

I'd just like to make a couple comments, Mr. President, at this time on my vote on Wednesday. On Wednesday I abstained from voting on 1396 and 1397. My reasons for abstaining in part related to my concern about minority ownership. Both on Wednesday and today, I believe that issue as far as this Council is concerned and as far as this proposed transfer and sale is concerned, has been resolved. As one who believes in majority rule and minority rights, I certainly accept the decision at this point of my colleagues on minority ownership but I will continue to press for the involvement of minorities and women in the full development of this City.

Another issue that concerned me at that time was that Council Bills 1396 and 1397 were considered prior to Council Bill 1469 which dealt with minority ownership. It would have been, I think, inappropriate for me to have voted on 1396 and 1397 without giving my full and undivided attention to the issue of minority ownership and I have done that literally up to the last moment.

Another reason that I abstained on 1396 and 1397 was that I was considering whether or not the issues raised in Council Bill 1468 relative to relieving Warner's certain rights and responsibilities and indeed requiring them to leave 25 percent of the purchase price here in the City of Pittsburgh, whether or not it was worthy of continuing dialogue and continuing consideration. I have dialogued with a number of people relative to that bill, including representatives of TCI. I think that certainly my original concern has validity; I believe that it would be in the best interest of the City to continue to pursue the reasoning and rationale of that bill. However, that bill was tabled upon my request and is not now before us for consideration.

Taking all that into consideration, I am prepared at this point to vote on 1396 and 1397. In the interest of providing for the people of the City of Pittsburgh, hopefully, a better cable system than we've had under Warner and in recognition that for whatever reasons Warner Cable Corporation of Pittsburgh is unable and unwilling to continue to provide service, it seems to me only appropriate that we would relieve them of those responsibilities. While the circumstances are less than ideal and obviously not the set of circumstances I would like to see, I believe that we must move forward with a new system and fortunately or unfortunately the only taker is TCI. While I do not necessarily think this is the less of two evils, it's the only deal that we have been offered and our present business partner would like to go elsewhere. The worse business deal is a business deal where your partner does not want to do business with you. Warner obviously does not want to do business with us; they do want to do business with TCI. Thank goodness TCI wants to do business with us.

I will vote aye on 1397 and 1397.

Mr. Wagner:

I'd like to make a comment in regard to 1396 and 1397 in particular. The negotiations between the City of

Pittsburgh, Warner and TCI have been long and hard. I know that this legislation came in front of us four months ago and we could have voted on that four months ago. The time lapse in between a lot of people were concerned about and thought that maybe we should have voted prior to now. If it were up to me alone I would have preferred the vote would be next Monday, October 29th but today is October 22nd. The reason for stating that, I think within those four months the City of Pittsburgh, particularly Brother Richard and Marvin Fein, have negotiated long and hard with TCI and have received as much as we can receive with this new contract. I salute them for the efforts that they have given to make this contract as good as it possibly can be and also the Cable Advisory Committee headed up by Father Lengwin. They've done an excellent job and they should be recognized; they helped this Council to better understand a very very complex piece of legislation that we have to vote on. I think without the Advisory Committee, without Brother Richard, without Marvin Fein, this Council, to be quite frank, would be in trouble because they have helped us to understand that piece of legislation and I personally thank them for it. I vote aye.

The Chair:

I'd just like to make a couple comments. I've been here during the whole negotiations relative to cable in the City of Pittsburgh and first and foremost I think when we first began we were merely looking for better reception. We did, however, as a result of the Committee, obtain what I think is one of the best pieces of municipal ordinances that there is across the country. By virtue of the requirements we were able to sift out those companies who were not able to handle it; our Cable Committee brought it down to four and left it to this Council then to make that final decision. Council did at that time make what it thought was the best decision based on the facts that were presented to us at that time. Council believed that it brought for the City of Pittsburgh the best cable system across the United States. Perhaps we were accurate because what we expected to get on paper was in fact the best system across the United States. Warner Cable, however, realizing thereafter that they could not produce what they had promised to produce, soon found themselves in some financial problems.

I think as well we owe a debt of gratitude to the Cable Committee who kept Warner during the time of their period here under the gun as they watched that we got the best possible service from that particular provider of cable television. We are, however, faced with the facts that have come before us that while we got on paper probably the best system in the United States, that company and that provider now tells us they can't do it. In fact, if they're required to continue as is that, they would eventually become bankrupt relative to this particular corporation.

We're told as well that PTCI is a willing purchaser and is prepared to buy, at least if that purchase is before October 31, 1984. Thus the reason for the vote now. It is true that we've discussed this matter now for some four or five months involving our City Solicitor, Marvin Fein, involving Brother Emenecker and involving our Cable Advisory Committee. All of them have put many hours of time into this particular project. What was originally the sale's agreement has been massaged in many respects to try to upgrade that which even PTCI had originally promised.

We now have an agreement and I would be remiss if I didn't say to the

citizens of the City of Pittsburgh, on paper at least, you will not be getting under PTCI the same thing that we had under Warner Cable, but we are faced with an alternative. Relative to those two, we are now looking at the lesser of two evils, but there is a third evil and that is that we did not take PTCI at this time and if the deadline of October 31, 1984, they lost their financing or they chose to direct their attentions to some other city, we could be faced with that matter of whether we handle a loan, that is, the City of Pittsburgh which we're not capable of doing, or eventually have no TV at all. I think it behooves all of us to be forthright with the citizens of this City. They are not getting what we originally bargained for but nevertheless they still are getting, at this present time, the best available TV system that is available as of October 22, 1984. I vote yes.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 1469

A Resolution entitled, "Resolution providing for the transfer of the cable television franchise from Warner Cable Corporation of Pittsburgh, under the terms and conditions approved by Ordinance or Resolution, by City Council and the Mayor, and for the extension of the term of franchise." **—(SPONSORED BY MR. ROBINSON)**

Which was read.

The Chair:

This received a negative vote on Wednesday and you'll be voting it up or down at this time. Is there any discussion on the bill?

Mr. Robinson:

Mr. President and members of Council, on Council Bill 1469 I'd just like to make a couple comments that are geared towards encouraging my colleagues to reconsider their vote from last Wednesday and to also reiterate my commitment to continue to furrow the ground that we started to furrow about four years ago relative to providing opportunties to everyone in this City to participate in the Renaissance.

About four years ago this Council, by way of legislation, put a value on the ownership of minorities in our cable system here in the City of Pittsburgh. Warner Cable, the successful bidder, also put a value on that ownership. They indicated that value was 20 percent of their system. I said on several occasions that I think that the actions of Warner, of this Council, and of those persons who worked very diligently to establish not only a precedent in the City but to

provide a unique opportunity ought to be furthered and that for us to continue to require that there be minority ownership is indeed in the best interest of the people of the City of Pittsburgh, it's certainly in the best interest of the minority community which is suffering an unemployment rate of roughly 20 percent and for minority youth it's 40 percent.

I think we all can appreciate that employment opportunities are generated in the main in this country by the private sector. Those who own businesses in the private sector are responsible in many respects for establishing policies and procedures that provide opportunities, not only are employment opportunities provided by the private sector but opportunities to participate in the free enterprise system. And I think that given all the activity that we have generated in the City to make opportunities available to developers, both from our City and elsewhere, and all the emphasis we have placed on economic development and growth of our City, it is only consistent that we continue to provide 30 percent of this population, minorities, an opportunity, a chance to grow with the Renaissance.

Our cable franchise as it is presently structured is the only manifestation in this City providing an opportunity to minorities and women to be a part of the action, to actually have an investment in the future of this City, the future economic growth. There is nothing else that this City has done, that this City has initiated in the last seven years. There's certainly nothing as substantial as this. The potential for the cable franchise, if it's turned over to TCI and it would appear that it's going to be turned over to them, is tremendous.

Again, we have a unique opportunity to make sure that everybody in this City has a chance to grow with this system and gain some economic benefits. If we are not going to be consistent in this instance, I would certainly hope that Council would not completely move away from the notion that we are committed to developing opportunities for minorities and women and that we do have an obligation to use our leverage as public officials to make those opportunities happen, not just to talk about them but to make those opportunities happen.

Bill 1469 is a chance for us to be consistent from where we were four years ago; I think it's a chance for us to not only provide these opportunities right now for minorities and women but to indeed address the future economic development of our City, and our cable system is going to be a part of that. Millions and millions of dollars is going to be generated out of this cable system. Unfortunately, the company that's going to operate the system is not going to be Pittsburgh based; unfortuantely, most of our financial institutions are not going to participate. I would hate to think that we also are going to give up an opportunity for minorities to legitimately participate. We should give them that opportunity and that's what 1469 is geared towards, providing an opportunity to people who are already a part of the economic growth of the City. They're already part of the economic growth. We did not say to Warner that we'll give them rate increases; we did not say to Warner that we'll work out a more favorable situation. We said to Warner, "We'll relieve you of all your rights and responsibilities." That's an awful type of situation to create and not ask for more in return, ask for something in return. I'm simply saying, let's not give it all up, let's don't give up everything. I urge your support for 1469.

One closing comment on 1469, if I might. On Wednesday, I abstained from voting on at least two other bills that specifically related to the transfer. I'd just like to indicate very briefly that my abstention at that time was based on three factors. —

The Chair:

Pardon me for interrupting. If you're going to explain that could you do it when we come to those bills?

Mr. Robinson:

Okay.

The Chair:

Any other comments on Bill 1469?

Michelle Madoff:

Mr. President, I think Mr. Robinson knows that I share with him the concern that the disinfranchised, particlarly the unemployed youth on the Hill and whose parents are also not working now, and women who are the last to be hired and the first to be let go, have an opportunity in the private sector and certainly when government is involved. But I think in this particular instance, and I would like my comments brought forward from the other day, anybody has the right to buy stock in TCI. There is a commitment and I would hope and trust that Brother Richard would continue to see that the 15 percent minority is met and established and continued and not let to go down the tubes so we never again have the Administration coming to this Council thanks to Councilman Robinson really being persistent and having the Administration come in and say, "Oh, we didn't know that we only had less than one-half of one percent of minorities involved in our contracts. We always thought it was 15 percent."

What I'm essentially saying is that if indeed we do give 15 percent of the opportunities, not only the gopher jobs and not only the secretarial and the menial jobs but some of the decision making jobs to the commitment of 15 percent involvement, then I think Council has done what it can do. We cannot legislate who the private industry is going to hire but we can say that it must have 15 percent representation and I would like to see a commitment from PTCI, and they're here today, a letter to this Council that would say that we will not only live up to the 15 percent commitment but we'll also do that at an administrative level, not just gopher jobs. Could we have that kind of commitment?

The Chair:

Michelle, kindly address the Chair.

Michelle Madoff:

By asking them to come to the table and speak will I be ruled out of order?

The Chair:

You are in the Legislative session; your comments will be to this legislative body.

Michelle Madoff:

My comment is very simple. We need to urge PTCI to give to this Council a memorandum of intent, not verbally but in writing, that they will indeed live up to the 15 percent minority hiring and not just at a level that is very meager but in the decision making process. I think we should get that because they're going to have to come back to us for rate structure increases.

The Chair:

Any other comments?

Hearing none, I'd just like to repeat that this received a negative recommendation on Wednesday but we will be voting the bill up or down. If you're for the bill, vote yes; if you're opposed to the bill, vote no. Call the roll.

Mr. Givens:

My vote is no and I'd like my remarks from Wednesday to be brought forward to be included in the Municipal Record. I'd like the Department of Law, this had come under my particular committee, and I ask for a legal opinion. I'd like the legal opinion to be so attached to the public record.

(MR. GIVENS' & MICHELLE MADOFF'S REMARKS ON BILL NOS. 1396, 1397 & 1469 FROM WEDNESDAY, OCTOBER 17, 1984)

Mr. Givens:

I would like to make a motion at this time that we approve all of these bills, and as I indicated, it will be for discussion purposes only.

MR. ROBINSON COMMENTS

Mr. Givens:

And in making that motion, I would like to extend to those people who have been deeply involved over the last several months, both the Warner people, TCI people, Brother Richard and his staff and that of our own Cable Advisory Committee, I think all of these people have done something in a very timely fashion to get this information to us, and with that, I then make approval to these bills for discussion.

THE CHAIR COMMENTS

Mr. Givens:

I move for approval.

MR. ROBINSON COMMENTS

THE CHAIR COMMENTS

Michelle Madoff:

Who are the individuals?

THE CHAIR COMMENTS

Michelle Madoff:

I object. Nobody can come to the table. I object. Would you like to put it to a vote of two-thirds of this Council?

THE CHAIR COMMENTS

Michelle Madoff:

Thank you. I want to prove once and for all that that is in the rules of Council, and you can never do this to me again.

THE CHAIR COMMENTS

Michelle Madoff:

Thank you. It's now an official record that two-thirds of the Council can have someone come to the table when anyone objects, Mr. Woods.

MR. ROBINSON COMMENTS

THE CHAIR COMMENTS

MR. ROBINSON COMMENTS

MR. FEIN COMMENTS

Michelle Madoff:

Mr. Robinson are you saying that what you would like to do is sort of post bond?

MR. ROBINSON COMMENTS

Michelle Madoff:

Is it the 4 year extension that is bothering you?

MR. ROBINSON COMMENTS

Michelle Madoff:

Do you want Warner to keep some of the liability and responsibility even though they are transferring it. Is that in essence what you want to do?

MR. ROBINSON

Michelle Madoff:

You confused me on what you said when you said keep the money here. Do you mean to keep our economy viable, or just security —

MR. ROBINSON COMMENTS

Michelle Madoff:

And drawing interest?

MR. ROBINSON COMMENTS

Michelle Madoff:

Who would get the interest?

MR. ROBINSON COMMENTS

Michelle Madoff:

I respectfully submit that we either like the contract or we don't like the contract, and this democracy, the Constitution provides that someone may sell their business to someone else whether it is a dress shop or a cable company, and if we're going to go along with the contract, and we agree with the contract, then I don't think we have a right to impinge on the person doing the selling on anything to say we're going to make you responsible. Now, I do know that a corporation will sell out to another and say that the manager will stay on for a while to make sure that things go smoothly, and they may have some kind of arrangement that Mr. Bent will be working for them in one capacity or another, so there is an orderly transition, and we don't lose over 90 percent service that we're getting right now that we may not get because of the TCI's past history, but I don't think legally we can put that kind of a rider in. I think maybe Marv can address that.

MR. FEIN COMMENTS

Michelle Madoff:

Would you please put that in writing that you agree that Michelle Madoff gave a better legal opinion than you did. After all, I did get the Liberty Bell Award in '72, and I'm learning my law —

MR. FEIN COMMENTS

Michelle Madoff:

Not permitted.

Mr. Givens:

Bill, to respond to your — this particular bill, if I might, In reviewing the franchise agreements on 4 or 5 years ago, one of the things that concerned me the most was the give away programs that the present franchse had in their particular contract, and not only that particular company, but other

companies, too, and when I look down the road, I felt that no company in this world can give away 20 percent of their stock without people buying into that stock, and that's what happened in that particular case, and had they gone on down the road, Warner — I mean, that is the profits of the company, that is the make or break of a company, the 20 percent profits that you make. That's where you get your money to reinvest back into your company and keep up with the state of the art.

That is one of the reasons I did not vote for that particular franchse some four years ago. I was the only Councilman, and I'm not saying that I'm proud of that or anything else, but I looked at it from the business view point, and I so stated that it would be three to four years before this company would fail, and I'm just a common person working with budgets over the last 20 or 30 years. But we are to institute the same thing that I felt to greatly was going to hinder the first operation, and I will say secondly if this is approved, that it will also hinder the second franchise agreement to the point where they will not be able to reinvest any of their capital gains into their own company, which means that the residents to the City of Pittsburgh are not going to get the type of service. I'm talking about the blackouts or the hazzy stuff that comes on the screen because they are not going to be able to keep up with the state of the art, and I'm sure in 15 years, there is going to be great changes within the cable system, and there will be much additions added onto this. Many of the institutions sucked into it, the educational systems brought into it where people can get even degress hopefuly over watching cable rather than going to a major university and certain specific cases.

How can you take 20 percent of a company's stock and give it away. You don't do that in any place in any business that I know of that's successful in this Country, and for that reason and that reason only, I would have to say no on that particular bill.

MR. ROBINSON COMMENTS

THE CHAIR COMMENTS

MR. WAGNER COMMENTS

Michelle Madoff:

It's a little confusing the other way.

MR. O'MALLEY COMMENTS

THE CHAIR COMMENTS

MR. O'MALLEY COMMENTS

MR. WAGNER COMMENTS

MR. FEIN COMMENTS

MR. WAGNER COMMENTS

MR. ROBINSON COMMENTS

Michelle Madoff:

I second the motion.

THE CHAIR COMMENTS

Mr. Givens:

"A Resolution providing for the transfer of the cable television franchise from Warner Cable Corporation of Pittsburgh to Pittsburgh Tele-Communications, Inc., for the extension of the term of the franchise." I move for approval on this.

THE CHAIR COMMENTS

MR. STONE COMMENTS

MR. FEIN COMMENTS

MR. STONE COMMENTS

MR. FEIN COMMENTS

MR. STONE COMMENTS

MR. O'MALLEY COMMENTS

Michelle Madoff:

I'm delighted that the President of Council has done a complete 180-degree turnaround from what he said the other day, and he's now saying that it was a grandiose system, offered too much, and I quess he's saying that PTCI is the only game in town and as I said earlier, since he editorialized and I'll be much briefer, and that is, it is not the atomic bomb. Obviously, we are elected officials who represent our constitutents and who want a cable system of some sort and they'll go to a baseball game and a football game and they'll get so carried away they'll burn cars in Detroit and do crazy things, but you couldn't get that many people to go to a hearing on Three Mile Island or even a PUC hearing. But if we didn't have cable, this Council would certainly hear about it. It is the general wish of the community that we represent as elected officials that they want cable. The only thing we can do is to see that we get the best we can possibly negotiate and the only thing that I have left that I need an answer to is, how many people are we down to who don't have cable and I would address that to Brother Richard because I trust him.

BROTHER EMENECKER COMMENTS

Michelle Madoff:

I didn't see mine because I got stuck because there was no way off the mountain.

BROTHER EMENECKER COMMENTS

Michelle Madoff:

What was the bottom number?

BROTHER EMENECKER COMMENTS

Michelle Madoff:

Of how many homes that are already connected?

BROTHER EMENECKER COMMENTS

Michelle Madoff:

It is not beyond the realm of possibility should the economy of this community turn around or even if the economy is worse and the only thing that people have, that more people will wish to be connected, wouldn't then the number who can't be connected be affected? Would that have any really direct bearing? What's your gut feeling about that?

BROTHER EMENECKER COMMENTS

Michelle Madoff:

My last question then relates to why some of the people have rejected allowing the lines to go through their property and to stop their neighbors from getting it. And since it is something that I have to believe because I've called you on numerous occasions about this problem and that is, that there has been a callous disregard for public property in a number of cases where they have ruined trees and they have been slopppy in their work and that is why people are saying no that they don't want their property damaged.

Many of the people that you are

talking about live in the high-rent district and they have put a lot of money into their landscaping and they feel that there hasn't been the attention exercised to protecting their property. I think if that is taken into account and we sit donw with TCI people and assure these people that indeed we'll bend over backwards and they could have their own supervisor not pay them for the right-of-way, but that you would perhaps reimburse their gardener or somebody to be there at the time that you are putting the lines and coming in from the back of the houses — Marvin is shaking his head no and I'm telling you it's a fact and that Brother Richard will agree on because it has been a problem — that you might even solve one of the problems of the people that are saying no, denying other people the right.

MR. FEIN COMMENTS

Michelle Madoff:

And I'm telling you that Dr. Mickey Golomb who called me has exactly that same situation. He has agreed not to stop his residence from having. He believes that he doesn't want to be an obstructionist, but he had some work done and did not like what he saw and that's why he said no.

MR. FEIN COMMENTS

Michelle Madoff:

This is treetops. He's talking about tops of trees. This was not undergorund. Brother Richard, hasn't that been a problem?

BROTHER EMENECKER COMMENTS

Michelle Madoff:

But it's small enough that it affects the 300 people.

BROTHER EMENECKER COMMENTS

Michelle Madoff:

Brother Richard, what I'm saying is it's not a matter of what happened or what happens, it's a matter of perception and I think that if somebody would sit down with these people who have witnessed slopy work and they are therefore saying, I don't have compulsion to say no, that I think we might even resolved this problem and it's down so low that I will not make that a condition of my vote any longer because since I've raised the issue and I was so strong on that point, you really, you didn't do it until you were pushed but after kicking and screaming, I think you've done a commendable job. It's unfortunate that you had to wait for that kind of pressure.

MR. FEIN COMMENTS

Michelle Madoff:

Well, I think the City has been at fault here. I think you have had the same concerns. I'm saying that if they could get away with it I think you would agree that TCI would say that they wouldn't have to wire and that would be wonderful. It was pressure like yours and pressure that came back to the vote of this Council that made it happen; would you agree?

MR. FEIN COMMENTS

Michelle Madoff:

No, am I in no way implying that it was the Cable Bureau. I meant Warner and TCI and I think I was very specific about that.

MR. WAGNER COMMENTS

BROTHER EMENECKER COMMENTS

MR. WAGNER COMMENTS

MR. SIE COMMENTS

BROTHER EMENECKER COMMENTS

MR. SIE COMMENTS

MR. WAGNER COMMENTS

THE CHAIR COMMENTS

MR. SIE COMMENTS

THE CHAIR COMMENTS

MR. FEIN COMMENTS

THE CHAIR COMMENTS

MR. SIE COMMENTS

Mr. Givens:

I have the same concern in this particular area. If we look at the vast source of communication, unless I own my onw newspaper, my television station, I cannot get my story out. We have the talk shows on radio right now that are popular, and even television now where people can have direct input into the communication system, but the communication system here that we're talking about and all the channels that TCI will be offering, that we have this one channel, and if not more than one, two, as you have indicated in your plan, when it's so to note. It should be nonprofitable. I have to agree with you. I don't think any company should have to pay the burden of something that the people want. If the people want it, they should pay for it, but in this particular case, there has to be some mechanism, some channels that are opening out there so the public at large can come in and tell their little story. Many of us sit in this Council and view what happens at this table, and when we read all of the media, from all angles, I feel this way, this is one outlet that the people will have to express their ideas, whatever those ideas might be, and I ask that you then representing TCI that you look at this very graciously and that some way as indicated by Councilman Wagner in inform the people of the City of Pittsburgh by a letter, in the first billing that TCI makes that a 25 cent charge will be made on that channel, and maybe tell a little bit about it, and therefore, for any new subscriber that would be hooking up, that that would be given to them, but it not be done in a monthly billing.

When I look back at telephone bills, and others, I see little add ons, and I wondered whether some of them are coming from, and I think that's where a lot of people have problems. I submit to you that to keep this think unmcomplicated for your particular entity, that they will be given a leter saying that this is the fact, and see what reaction would come from that. That would be my submittal to you and to the company rather than doing it on a monthly basis.

MR. SIE COMMENTS

MR. FEIN COMMENTS

Mr. Givens:

All right.

MRS. MASLOFF COMMENTS

MR SIE COMMENTS

MRS. MASLOFF COMMENTS

MR. GRABOWSKI COMMENTS

MR. SIE COMMENTS

MR. GRABOWSKI COMMENTS

Michelle Madoff:

It would also be used for alerting the public if there is a storm, flood —

MR. SIE COMMENTS

Michelle Madoff:

I have cable, the lowest level. My rate will go down. At the present time, if you would take over the system next week, I would not get 2, 4, and 11 on 2, 4, and 11?

MR. SIE COMMENTS

Michelle Madoff:

But if I go on the higher level, it changes?

MR. SIE COMMENTS

Michelle Madoff:

I'm on the lowest level. I don't plan to go beyond where I am. Evertime I get a bill, twice a month, I get phone calls saying, "You ought to be buying a higher level, and I don't want it. I just want it for reception. You would save a lot of money if you would quit pestering me. It cost money to pay those people.

Now, the other thing, and it's my final question. You have decided to accept Christian Associates line; is that correct?

MR. SIE COMMENTS

Michelle Madoff:

Why did you accept that and not say, the same way that we're going to do away with a lot of other things, we will do away with that as well.

MR. SIE COMMENTS

Michelle Madoff:

And it runs out when?

MR. SIE COMMENTS

Michelle Madoff:

We're extending your franchise.

MR. SIE COMMENTS

Michelle Madoff:

The reason I'm concerned is — perhaps you can explain to me. How does any denomination have access to Christian Associates channel?

MR. SIE COMMENTS

Michelle Madoff:

Is there anybody here? Would you be willing to give another line for all denominations? I'm very concerned for many of us who do not share some of the beliefs of the Chrisitan Associates who use that line to perpetuate the propaganda that they believe to be their truth which is not necessarily the truth or a baptist truth, and if you're going to pick up a contractural agreement, which you have the right to reject by paying them off, you could have said no, and refund the money. It distresses me that there are members of the cloth that sit on the advisory board and I have the utmost respect for Father Lengwin and Brother Richard, but notwithstanding that, I think all denominations should have equal access to a religious station, and since that is not a fact, and since that station can be used to promote a particular line of thinking, would you be willing to offer another line for all denominations?

MR. SIE COMMENTS

Michelle Madoff:

Any other religious denominations?

MR. SIE COMMENTS

Michelle Madoff:

Would you care to share that with us?

MR. SIE COMMENTS

Michelle Madoff:

Would you be receptive to negotiating the same kind of contract with them that you have with Christian Associates.

MR. SIE COMMENTS

Michelle Madoff:

Why not?

MR. SIE COMMENTS

Michelle Madoff:

That's not acceptable to me because you already eliminated a number of things that were in the Warner Agreement —

MR. SIE COMMENTS

Michelle Madoff:

But you eliminated other things.

MR. SIE COMMENTS

Michelle Madoff:

I would like a commitment from you that all denominations would have access to at least one other channel.

MR. SIE COMMENTS

Michelle Madoff:

The same fee that Christian Associates gave you; no more, no less.

MR. SIE COMMENTS

Michelle Madoff:

You have now become a religious expert as to what is appripriate and what is not appropriate?

MR SIE COMMENTS

Michelle Madoff:

Fine. Then why don't you cancel the contract with Christian Associates, give them their money back, and they will be on the same footing as all other religions.

MR. SIE COMMENTS

Michelle Madoff:

There were a lot of other contractural things that you cancelled. They may not be programming, but you cancelled them. People had CUBE, you cancelled it. Cancel that too, and make it equal for every religion.

MR. SIE COMMENTS

Michelle Madoff:

I'm saying unassume it . Cancel it. You've cancelled other things.

THE CHAIR COMMENTS

MR. SIE COMMENTS

Michelle Madoff:

Do you want my vote?

MR. SIE COMMENTS

Michelle Madoff:

There is another issue. Women. Is there a women station? I still believe this is a mans world and women are conming into their own, and they need to get the word out that women get 49 cents on the hour, the safety problems with women. Are you saying they can use those three access stations, or if a womens group wanted to buy, would you consider that?

MR. SIE COMMENTS

Michelle Madoff:

Consider it, or have a station?

MR. SIE COMMENTS

Michelle Madoff:

Are they on the lowest level?

MR. SIE COMMENTS

Michelle Madoff:

How much more is it?

MR. SIE COMMENTS

Michelle Madoff:

I can afford that since you're cutting my rate anyway.

MR. SIE COMMENTS

Michelle Madoff:

But the Christian Associates have a whole network all of their very own, right?

MR. SIE COMMENTS

Michelle Madoff:

That's what I'm trying to find out. Nobody wants to answer the question. Father Lengwin says he will answer it. Is that all right with you Mr. Woods. I just want equality for everybody.

FR. LENGWIN COMMENTS

Michelle Madoff:

And is the time divided equally?

FR. LENGWIN COMMENTS

Michelle Madoff:

Answer the question, please.

MR. LENGWIN COMMENTS

Michelle Madoff:

Does Christian Associates have a majority of that time? Do they have the bulk of the time.

FR. LENGWIN COMMENTS

Michelle Madoff:

It's all divided evenly?

FR. LENGWIN COMMENTS

Michelle Madoff:

Father, Christian Associates has its own line, right? Would you say that the bulk of the time is with Christian issues?

FR. LENGWIN COMMENTS

Michelle Madoff:

Meaning nonbaptist and so on?

FR. LENGWIN COMMENTS

Michelle Madoff:

Is it farily equally divided?

FR. LENGWIN COMMENTS

Michelle Madoff:

Yes, I do. I've heard some of the stuff on it. A lot of people calling my office are very very upset.

FR. LENGWIN COMMENTS

Michelle Madoff:

My concern is any group that wishes to have a channel would have the same channel that you have at the same rate, and he said no.

MR. SIE COMMENTS

Michelle Madoff:

Well, I have a concern that you don't reserve the right to have the Christian Associates Channel determining what they put on.

MR. SIE COMMENTS

Michelle Madoff:

Who are you to decide what is religiously proper for the public?

MR. SIE COMMENTS

Michelle Madoff:

Certainly on major religions, I withhold that. Ther are some religions that I have some concerns about. Anybody can say they are a minister, or I'm going to be a female minister, and I'm going to start my own church, and it's going to be called the church of government, but you have a right to say is that really viable. I'm really concerned about the separation of church and state. You know what's going on in this country today. You know what's going on in the political arena, in the Presidential election. I have great concerns, and now you'll tell me that you will treat other bodys that come to you different than you have, and I'm saying it should be in the contract that any established viable religious group that now wishes to have a channel would be treated identically.

THE CHAIR COMMENTS

Michelle Madoff:

I want an answer to that.

THE CHAIR COMMENTS

Michelle Madoff:

Is that still a firm no? Do you want a firm no from me?

MR. SIE COMMENTS

Michelle Madoff:

That's not my problem because I believe any responsible religion that may come to you and want to talk about the Serbian Christmas would not be offensive to you and certainly would be acceptable to me and to most people in the community but I'm saying I don't want one channel treated differently than another channel providing the content is not offending the public.

MR. FEIN COMMENTS

Michelle Madoff:

Absolutely, I agree with you. Then why would you not give everybody else the same right that Christian Associates has?

MR. FEIN COMMENTS

Michelle Madoff:

But we can vote.

THE CHAIR COMMENTS

Mr. Givens:

Yes, Mr. Chairman, I have one technical question to ask the TCI people and Warner. If and when all these resolutions are passed, and Monday would be the final vote, and given the Mayor his normal ten days, when will the people be seeing TCI people knocking on the door out there and trying to change the system over? When can they expect communication from TCI to the people that are subscribers under the present system right now?

MR. SIE COMMENTS

Mr. Givens:

I would like some time table on that.

MR. SIE COMMENTS

Mr. Givens:

When will you be in the homes of the people with their new equipment?

MR. SIE COMMENTS

Mr. Givens:

So, February would be where people think mostly that TCI will be knocking at their door.

MR. SIE COMMENTS

Mr. Givens:

How are we going to identify that you are the representatives? Are your people going to be addressed appropriately?

MR. SIE COMMENTS

Mr. Givens:

And done by appointment?

MR. SIE COMMENTS

THE CHAIR COMMENTS

MR. ROBINSON COMMENTS

Michelle Madoff:

Bill with all due respect perhaps another alternatiave to that would be that they're going to be in business, we've got to buy a lot of equipment, and we've got to purchase services, even if it's just cleaning services or paper or whatever, that we put it — perhaps Marvin Fein could ask them on their own free will because I think it's unconstitutional to ask them to do what you said. What I'm asking is that they do business with local firms.

MR. SIE COMMENTS

Michelle Madoff:

Satisfied.

MR. SIE COMMENTS

The Chair:

We're voting on one bill, 1396.

Mr. Givens:

I'm very happy to be the first one to cast an aye vote for this transaction, and hope everyone else will, and it has been long overdue, and I'm sure that the new corporation of PTCI will continue to

give the type of service the people of the City of Pittsburgh so want and desire and need for a long long time. It's a very difficult area for reception, and for that and that alone, we appreciate you coming in here to unwind a problem that was going to be generating to the point where possible that plug might have had to been pulled, and I think you're to some degree an angel flying from the white snows of Denver.

Michelle Madoff:

I'm very disappointed that what I predicted would happen was going to happen and that we were going to be stampeded into an October 31 prior vote to give you some time. I do not hold with Councilman Givens thanking you for coming in and rescuing the people of this community, and appreciating the fact that you're going to save us because you're going to make a big buck, or you wouldn't be here. You're business people.

And today I'm very disappointed that the feeling seems to be that God has endorced Reagan and has endorced TCI that you have the right to determine whether we're going to have a Christian station, but not give the same amentities and the same privilege at the same price to other religious denominations, you will think about it, but not make a commitment.

But taking into consideration my disappointments, I think I stated my case earlier. The public of this community want a cable contract. They want the right to get reception, and I can do no less than give them their rights, even though I don't think it's a high priority, and it's not an atom bomb. I will vote yes.

Mr. Givens:

Moved for approval on Bill No. 1397.

MR. ROBINSON COMMENTS

Michelle Madoff:

Mr. Robinson, I don't think that you would question my sincerity on the issue of supporting you, however, I think it is not viable, it can't happen, it's unconstitutional. They've already said they will give a station and maintain a contract that they had with Christian Associates, but their not going to give one to someone else at the same price. An unfortunmately if we're going to provide cable in this area, they have us where they want us, but the proverbials.

MR. O'MALLEY COMMENTS

Michelle Madoff:

I'll tell you the female equivalent later. The problem is that we cannot legislate which I believe is a moral responsibility to allow some people who are minorities and women to buy an interest in the local PTCI, and I think it's really after the fact, I think you're making a very valid point in the same way I made a valid point that what should be will not necessarily be, that we don't really have any control over it, but I believe that when we come back to vote on a rate structure, I'm going to look very carefully at the minority involvement. I'm going to look very carefully at what kind of business — what kind of contracts and supplies have been purchased from local operations, and I'm going to look very carefully at how they treat religious denominations and in the negotiations of a channel as they have the Christian Associates, and this isn't the last time we're going to be up at bat dealing with this issue, and I want PTCI to be on notice that I expect to be here, God willing, and you may have to deal with me again.

MR. ROBINSON COMMENTS

Michlelle Madoff:

Councilman Robinson, anybody can go out it they have the money and buy stock in PTCI providing — it doesn't matter what color, creed, sex that you are. What I was saying on the constitutional issue was that we can't tell a company that they must sell part of their company whether it's a minority, female or even a competitor or anybody. I don't think we have the right legally to tell them who they will do business with. That was my point. I just want to clarify that because you know my stands on minority and women is very clear. And I might say one last thing. What has happended to date in this City by bringing forward the problems of doing business with the City of women and minorities would not have happended, and a lot of these documents would not have been signed and a sincere effort made if it had not been for Councilman Robinson digging and not giving up and hanging in there. My vote is no.

(END OF MR. GIVENS' AND MICHELLE MADOFF'S COMMENTS)

(LEGAL OPINION REQUESTED BY MR. GIVENS)

October 10, 1984

Honorable President and Members
City Council
City of Pittsburgh

Dear Mr. President and Members:

Reference is made to the letter dated October 3, 1984 from the City Clerk to this office requesting a legal opinion on Bill Nos. 1468 and 1469 relating to the transfer of the cable system from Warner Cable Corporation of Pittsburgh to Tele-Communications, Inc.

Bill No. 1469 includes a provision which preserves the rights of minorities and women to participate in ownership of a cable franchise in the City. There is no legal impediment to the inclusion of this provision in a bill approving the transfer of the cable system.

Bill No. 1468 requires Warner Cable Corporation of Pittsburgh and Warner-Amex Communications, Inc. to place twenty-five percent of the purchase or transfer price from the sale of the system into an escrow account to assure that the transferee will operate the system satisfactorily.

This bill has several legal impediments. Initially, the bill may be unenforceable because it does not relate to any specific facet of operation. Regulation of cable television is multi-faceted and different types of remedies are necessary for each particular type of problem or violation. Our current ordinance and agreement specifically address each type of problem separately.

Pursuant to Section 425.16 of the Code and Section 12 of the Agreement, bonds are provided for to be used to correct any construction problems. Pursuant to Section 425.25 of the Code and Section 18 of the Agreement, cancellation of the franchise is provided for to remedy certain specified violations. Pursuant to Section 18 of the Agreement, liquidated damages are provided for to prevent the franchisee from violating certain other specified provisions of the Code and Agreement. In addition, the City has available to it equitable remedies and summary enforcement pursuant to Section 425.27 of the Code and Section 18 of the Agreement to prevent or correct other

violations. There is also a Security Agreement to insure payment of the franchise fee. Bill No. 1468, however, groups all violations together and is based on a belief that a monetary penalty will resolve all problems. Such is not the case. In addition, requiring Warner to forfeit money will neither benefit cable users nor act as an incentive to insure that TCI performs its contract obligations. Since TCI will be operating the system, it is TCI which must provide the City with adequate assurance and enforcement mechanisms to insure that the system will be operated properly.

Further, the bill goes beyond the powers reserved to the City in the Code and Agreement. Pursuant to Section 425.23 of the Code and Section 16 of the Agreement, the City has the right to approve the transfer and require Warner to still be secondarily liable even after the transfer. The City does not have the authority to require Warner to place the proceeds from the sale in escrow. We have bonds, insurance and a security agreement from Warner to insure payment of any actual losses which the City will incur during the period that Warner has operated the system and those will be required from TCI prior to the approval of the transfer of the system.

The City, in acting under its police powers, may only impose reasonable conditions which are related to the specific problem which must be addressed. Since this bill provides for the forfeiture of money to the City if the system is not operated "satisfactory", forfeiture could occur as a result of violations for which the City does not or will not incur any monetary loss or for violations which do not directly affect the City, therefore Bill No. 1468 is unconstitutionally vague and unenforceable.

Very truly yours,
D.R. Pellegrini
City Solicitor

Submitted by:
Marvin A. Fein
Deputy City Solicitor

MAF:rms

(END - LEGAL OPINION)

Michelle Madoff:

I've just been informed that Warner to date has a 24 percent minority hiring policy and a 33 percent in women and I understand that's proportionate in the decision making process. I don't know whether that's going to continue but I'm going to watch to see that PTCI is does do it. I vote no.

Mr. Robinson:

Just one point of clarification. I appreciate Mr. Givens' requesting the legal opinions. Council should be aware that the Law Department indicated that there's no legal bar as far as their opinion is concerned to us having a requirement that minority ownership be part of the system. I thought that should be brought to light. The legal opinion said very specifically that if Council wanted to take action to have minority ownership as part of its franchise agreement, we were on sound legal ground. My vote of course is aye.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Robinson

AYES 1 NOES 8

VOTING NO:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Also, with an affirmative recommendation,

Bill No. 1535

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Four - Public Places and Property, Article II - Communications, Chapter 425 - Cable Communications, by changing certain obligations and duties." **—(SPONSORED BY MR. GIVENS)**

Which was read.

Mr. Givens:

Mr. President, I have a motion. The motion is, in accordance with Section 322 of the Home Rule Charter, publication effective date of the legislation, I move that the effective date of Bill Nos. 1396, 1397 and 1535, all dealing with the transfer of the cable franchise, shall be the date on which it is signed by the Mayor of the City of Pittsburgh.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Michelle Madoff:

Discussion. I was hoping to an opportunity to respond to what you said but I didn't want to go out of Robert's Rules of Order and this gives me an opportunity.

The Chair:

The issue before us at this time —

Michelle Madoff:

Is whether we expedite —

The Chair:

It's the effective date of the signing of —

Michelle Madoff:

I understand that.

Mr. Robinson:

Point of information. I believe Mr. Givens excluded Bill 1548. Is that correct, Dick? You made reference to all the bills —

Mr. Givens:

You're correct, Bill. That bill was defeated and these are the bills that have been passed.

Mr. Robinson:

Not 1548. Bill 1548 was passed.

The Chair:

Mr. Givens, may I make a suggestion? I think what you intend is that on all bills relative to the cable transfer, that the effective date be on the signing by the Mayor.

Mr. Givens:

That's right.

The Chair:

Does the maker of the second agree with that?

Mrs. Masloff:

Yes.

The Chair:

Now, discussion on whether or not the effective date should be changed as the maker of the motion requests.

Michelle Madoff:

As you so eloquently pointed out, Mr. Stone, we had a deadline of October 31st. As Mr. Wagner pointed out, he thought it was appropriate to thank Mr. Fein and others who supplied us with information. We are again railroaded, stampeded into making a contractual agreement. I personally believe it's the only game in town and the people would be without cable and they'd be more concerned perhaps to be without cable sometimes than without heat, which really blows my mind. However, the thing that I think this Council, the issue before Council that should not be dropped, when you talk about having an expedited date so that as soon as it is signed it becomed law is that we should never be in this position again.

In the real world when we all voted for Warner, we all thought it was a good contract. But where did our information come from? Not from a fiscal analyst or a fiscal advisor to this Council but from the Administration which is in a sense a conflict of interest and not a separation of powers.

Mr. Wagner told me that he didn't believe that we would be having to meet the October 31st date. Mr. Wagner has learned that we had to meet the October 31st date, and this will happen again and again and there may be some things that this Council, all nine of us in our infinite wisdom, did not find that could have made this a better contract. But we don't know that because none of us are experts in cable, none of us are economists to the degree that maybe we could have brought — I think Mr. Robinson does have some background in economics — have brought something further and better to the negotiations.

Again, this Council is only window dressing for the Administration and I think it's time that people who say in principle that they agree with the four times that I have introduced legislation to have our own fiscal analyst or fiscal advisor have that so that we don't ever again have a bill before us —

The Chair:

Where does that have any issue —

Michelle Madoff:

We would never have to be backdating — Making this bill retroactive from the minute it's signed —

The Chair:

It's not retroactive. It's going to go to the Mayor. That's not retroactive in my understanding of the word.

Michelle Madoff:

Mr. Stone, you know exactly where I'm coming from. Don't play coy. What I'm saying is very simple. We would not be under that date line to make it official the time the Mayor signs it before, hopefully, October 31st so that

the banking could be taken care of with PTCI. We would not have been stampeded to this date if this Council had soem independent expertise, which we do not have, that the Legislators have in Harrisburg and Washington, the Senate has it. Everybody has it but this Council. We rely on what the Administration tells us. When they want our opinion they give it to us and we try to do the best with that kind of information. I appeal to my colleagues. Let's not have it again.

The Chair:

Michelle, Mr. Givens is more accurate for better reasons than what you have given for this reason: We have now been told that Warner is going out of business and that they're not tending to their work. You have a new provider of service that's coming in and the fact that he's moving it up so that we can get on with the business seems to be the most logical thing you could possibly ask for at this moment.

Michelle Madoff:

I'm not going to vote against it; I'm going to vote for it. The point I'm making is we should never be in this position again. You know it better than anybody else as the previous Finance Chairman but you like it just the way the status quo is because then nobody has any input to this Council. We vote in an uninformed manner with the least information we can be given.

The Chair:

The Chair is not able to understand your logic.

Michelle Madoff:

Don't worry about it, Mr. Stone. The public understands exactly what I'm saying.

The Chair:

He wants to have the turnover immediately so that we don't have any more lack of service.

Michelle Madoff:

That's correct and I think every member on this Council does.

The Chair:

If you don't want it that way then that's a different thing.

Michelle Madoff:

Don't twist my words because I'm going to vote with him. But it gave me an opportunity to zero in on the failings of this Council again and again and again and again in not having its own independent advisors and fiscal people and legal counsel and it's because certain members of this Council don't want it that way. The public understands it very clearly.

Mr. Givens:

The first time that the cable system was presented to Council as a body back some four or five —

The Chair:

Mr. Givens, I'm going to restrict you as well. We're only talking about whether it should be effective on the day the Mayor signs it.

Mr. Givens:

I'm making comments on Michelle's comments, if I might, because I think it reflects —

The Chair:

No, I don't want to do that. Your motion is that it be effective on the day the Mayor signs it. That's the only issue before this body.

Mr. Givens:

I wish you would have kept that to Michelle because she made certain innuendos in regards to this Council not having expert advice. I feel that our Finance Department who I went to and talked with Jack Buckley and Bob Rush when he was here, God bless him, and others who were in that field. I had them go over that particular contract and they pointed out to me many of the faults of it. I took their advice along with that of our own Cable Advisory Committee. You know, when we deal with a $255 million budget and we trust our Finance Department, why can't we trust our Finance Department when we have a transfer of something we don't even own, which is the cable system. We don't own it, we just regulate it, some $95 million. I feel that the same fiscal experts that we have in our Finance Department with their degrees in Business Administration are able to siphon through any of the most detailed information that is given to us with the exception of maybe one or two items. In this particular case I thought that they go outside their realm of expertise and get that information for me and they have done so. I commend them for that and I shall say that we do have that expertise when we need it for any Councilperson if they so desire. They can go to whoever they want to; we have a code account set up for any Councilperson to go out and seek any information that they need.

Thank you.

Also,

Bill No. 1536

A Resolution entitled, "Resolution amending Resolution No. 690 of 1984, entitled: 'Resolution providing for an Agreement or Agreements with Grant Liberty Development Group Associates, a Pennsylvania general partnership, for the grant of easements for the construction, maintenance and use of improvements to be constructed above, on and beneath certain portions of the public rights-of-way of Tenth Street, Penn Avenue, Eleventh Street, and Liberty Avenue, in connection with the construction of the Liberty Center,' by modifying Exhibit 'A'".

Which was read.

Michelle Madoff:

Would somebody help me a little bit, please? On Bill 1536, the Grant Liberty Development Group Association, was that the discussion we had the other day with Mr. Wagner, Mr. Robinson and myself; or is this something else that I'm confusing? There's so many projects that all sound alike. Mr. Robinson, are you aware of this one?

Mr. Robinson:

Yes.

Michelle Madoff:

This is where the developer, we weren't sure and I asked to have Mr. Brophy and Mr. Robin meet with some people out of Washington and we had a great discussion here in this Council. I requested, Mr. Perry, that you give me a transcript of those minutes today and you're going to follow through and schedule that post or a hearing through the President of Council with all the parties involved. Then how are we voting to give them —

The Chair:

In the event, Michelle, that they are able to acquire the financing to proceed, this bill gives them the additional needs of easement, etc., so that they can carry out the work that they need.

Michelle Madoff:

That's what I'm confused about. How can we vote something for them when we don't even know they're doing it? Mr. Robinson, will you clarify that for me please?

Mr. Robinson:

Mr. President, if I might. I think that this can be cleared up one, by looking at some legislation that we'll be considering a little later during the Council session which sets some time limits on the developers of the Liberty Center Development. A November 2nd time limit has been imposed not only by their contractual agreements but by this Council. It's my understanding that those interested parties who might have an opportunity to development is project if the Grant Liberty Development Group can't go forward are going to contact the Executive Director of the Urban Redevelopment Authority, Mr. Brophy. Mr. Brophy and I both agreed that we needed a contingency plan, an alternative plan, in case the Grant Liberty Group cannot make the deadline of November 2nd.

The bill that's before us, 1536, relates to an ongoing concern that the Grant Liberty Group has had to make sure that they have all the proper easements, etc., for the potential construction of the hotel and office complex. I raised the same question that you did on Wednesday and Mr. Brophy indicated that rather than hold this bill that we should process it so that the Grant Liberty Group would have every opportunity to meet the November 2nd deadline. I think that makes imminent good sense, to allow them every single opportunity that we can up until 12:01, November 3, 1984. I think we as a Council and the Mayor and the URA has done everything they could to make this project work. If Grant Liberty needs a few more days, let's give them a few more days. I was even willing to give them until November 30th; my colleagues, in their infinite wisdom, said no, save Mr. Wagner, he said yes.

The Chair:

Let's not digress too far. This bill is only in the event that they're able to go forward. This gives them the wherewith where they can do it.

Michelle Madoff:

Mr. Stone, supposing another contractor comes in with a backup proposal and their design is entirely different and doesn't need these easements or right-of-ways or are they going to be needed in any event?

The Chair:

I don't know. We don't have, first, a rejection that this one cannot proceed; secondly, we don't know the new requests for proposals and what that new contractor might want.

Michelle Madoff:

What I'm concerned about, if we give these particular easements and then somebody comes in with another plan and wants some other easements, we may be giving easement over easement.

The Chair:

This is an easement to them in the event that they are able to progress.

Michelle Madoff:

And it would revert back if they don't progress?

The Chair:

Yes.

Michelle Madoff:

Okay, then I have no problem.

Mr. Robinson:

Mr. President and Mrs. Madoff, one other comment I think is relevant. I think Mrs. Madoff's concern is well taken. I'm not sure that it's completely clear legally what would happen to these easements if they're granted and the Grant Liberty Development Group can't move forward with the project. They would still have the easements. I think your point is well taken.

Michelle Madoff:

That's why I want an opinion. We need our own counsel.

Mr. Robinson:

Today at the Public Auditorium Authority Board Meeting, a representative of Grant Liberty was present and the question was asked as he was explaining the issue of physically connecting the hotel to the Convention Center, whether or not any agreement had been signed. His answer was an unequivocal no. So, everything is conditioned upon a signed agreement which must be signed by 12:00 midnight, November 2, 1984. What we are doing essentially here is showing good faith that we want to continue with this project but I think it's going to be rather clear when we vote on the bill in my committee that November 2nd is the last day.

Michelle Madoff:

Clarification. Mr. Stone, where on this bill does it say that if the present developers do not proceed that this is conditional?

The Chair:

The whole project is conditional on the agreement.

Michelle Madoff:

I'm concerned that somebody else coming in may just take these easements and variance for granted and ask for others on top of this. Does anybody know, would this be a detriment to the community if the plan was changed and they inherit these easements?

The Chair:

The Chair doesn't have the concern you have because it's conditional on the overall approval of the whole agreement.

Michelle Madoff:

Okay, I'll accept that.

Also,

Bill No. 1493

A Resolution entitled, "Resolution granting unto William J. Wiessenfeld, 1734 Hallowell Street, 31st Ward, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a sewer line portion of the right-of-way in Anartic

Way in the 31st Ward of the City of Pittsburgh.

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

Bill No. 1618

Report of the Committee on Planning, Housing and Development for October 17, 1984 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 981

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 12 by changing from "R5" Multiple-Family Residence District to "C4" Comercial District certain property having 50 feet of frontage on the westerly side of NORTH CRAIG STREET and identified as Lot No. 98, Block 27-D in the Allegheny County Block and Lot System, 4th Ward.

Which was read.

Also,

Bill No. 1405

A Resolution entitled, "Resolution providing for an Agreement(s) with the Pittsburgh Clean City Committee, a non-profit corporation for the purpose of administering the lot maintenance and Greenway implementation activities of the Property Management and Maintenance Program."

Which was read.

Michelle Madoff:

On Bill 1405 which is the bill for the Clean City Committee, I parked my car this morning because I expect to be out before dark and I don't have to spend $9.00 in a parking lot, and found that on the way to this esteemed edifice the County Office Building outside is a pigsty. To call it a pigsty is to be gracious. It is a sloppen and very frequently the front of this building is.

I would like to see before we allocate dollars of this magnitude over and over again, and I think the grand total that we're giving to the Clean City Committee is a great deal more than this $200,000 over the year, that there's something put in from the Administration. There's an old proverb that when a fish stinks it stinks from the head; you've heard me say that before. Why don't we have the Administration providing someone to clean at least our

own buildings and set an example for the rest of the City. I cannot believe it. I'd like some photographs of what's going on out there; it is unbelievable. I would like to see some kind of a commitment next year at budget time that provides for keeping our own house clean before we go out and keep everybody else's house clean. That's a comment on the bill.

Also,

Bill No. 1513

A Resolution entitled, "Resolution further amending Resolution No. 1385, 'Adopting & approving the 1983 Capital Budget', and amending Section 10 of Resolution No. 167, effective March 7, 1983, as amended by Resolution No. 394, and Resolution No. 692 of 1983, entitled: 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the United States Department of Housing & Urban Development for a grant in connection with the 1983 Community Development Block Grant Program,' so as to adjust several line items."

Which was read.

Michelle Madoff:

On Bill 1513, I would like to ask my esteemed colleague, Mr. Givens, if he has studied that bill and can tell me whether fiscally his outside sources of resource people and fiscal people have gone over that bill and is this the right way to allocate the dollars? That's the swapping around of money on our Capital Budget. Did you consult your fiscal people?

Mr. Givens:

Ask the Chairman of the Committee; he's the one —

Michelle Madoff:

— I asked you. The reason I'm asking you, Mr. Givens, is again it proves my point that this Council needs a fiscal analyst and a fiscal advisor and to go to our friends and resource people that we can find who may be very knowledgeable but may have an allegiance to the Administration and be reticent to share information with us.

I'm not going to vote on that bill because I don't know anything about it and I don't have the fiscal resource people to tell me this is the right way to spend our money. Do you? Did you discuss it with anybody? Are you going to vote without knowing? You just proved my point.

Okay, I'll vote aye on Bill 1513 because the money is going to, I believe, Warrington Avenue which is certainly long overdue but again it points out the need for a fiscal analyst because City Council in its Capital Budget has $1.6 million and maybe we could take the Warrington money out of the $1.6 million of City Council. But if we don't have a fiscal analyst, how do we know where the money should really be coming from and I think in the future we're just going to have to persist and get some help for this Council and not rely on Mr. Givens' friends.

Also,

Bill No. 1514

A Resolution entitled, "Resolution providing for the issuance of Certificates of Appropriateness for exterior work on A. MARKET SQUARE HISTORIC DISTRICT commercial structures at (1) 20 Market Place (Block and Lot 1-D-162) and (2) 239 Forbes Avenue (Block and Lot 1-H-228) in the 1st Ward; B. MEXICAN WAR STREETS HISTORIC DISTRICT

residential structures at (1) 167 North Taylor Avenue (Block and Lot 23-J-295a), (2) 512-514 Eloise Street (Block and Lot 23-K-96), (3) 1227 Sherman Avenue (Block and Lot 23-K-176), (4) 1225 Buena Vista Street (Block and Lot 23-J-319), (5) 503 North Taylor Avenue (Block and Lot 23-J-250) in the 22nd Ward; C. MANCHESTER HISTORIC DISTRICT residential structures at (1) 1519-1531 Bidwell Street (Block and Lot 22-L-161 to 167a), (2) 1420 Liverpool Street (Block and Lot 22-P-15), (3) 1423 West North Avenue (Block and Lot 7-B-296), (4) 1432 Faulsey Way (Block and Lot 7-B-303a), (5) 1715 Fulton Street (Block and Lot 22-K-48), (6) 1908 Chateau Street (Block and Lot 22-E-277), (7) 1403 Sheffield Street (Block and Lot 22-P-324), (8) 1102 Bidwell Street (Block and Lot 22-R-182), (9) 1307 West North Avenue (Block and Lot 7-C-3), (10) 1440 Nixon Street (Block and Lot 22-E-327), (11) 1008 Abdell Street (Block and Lot 7-D-13), (12) 1413 West North Avenue (Block and Lot 7-B-287), (13) 1019 Manhattan Street (Block and Lot 7-B-272) in the 21st Ward."

Which was read.

Also,

Bill No. 1522

A Resolution entitled, "Resolution providing for an Agreement or Agreements between the City of Pittsburgh and the Salvation Army for 'Aid to the Homeless', at a cost not to exceed $35,000.00." —**(SPONSORED BY MR. WOODS)**

Which was read.

Mr. Robinson:

Mr. President and members of Council, as you may be aware, the City has been involved in an effort to try to provide housing for the homeless. Bill 1522 as I understand it addresses a portion of that concern. I have a larger concern that this $35,000 is obviously not enough money to seriously begin to address the homeless in our City. While I'm sure the Salvation Army is going to use this money in a very efficient and effective fashion, I think it would be helpful to Council to find out from the City's Task Force on the homeless what exactly they are doing because they have requested from this Council some $200,000. They made a request last year that we consider them for $200,000; they made a request when we were considering our Community Development Block Grant Allocations and I think that task force could give us some very important information and hopefully the President of Council will make arrangements for us to be briefed by that Task Force.

The second thing is that the relocation situation in the City of Pittsburgh is still unresolved; that is, we are still attempting to resolve issues around the establishment of a central relocation agency and advisory committee and also the input of other groups and organizations that want to deal with this issue. The issue of the homeless and those who are being relocated is related, directly related, and we need to perhaps bring together again those people at the URA and those people on the Relocation Advisory Committee who have been working cooperatively so that we might find out from them what they're doing relative to relocation. We did provide to the URA $450,000 for relbcation efforts. That money was provided with the understanding that there would be a Relocation Advisory Committee appointed and an identifiable process for persons who need to be relocated. Those two things have not been done to date. There has not been established a

Relocation Advisory Committee and the identifiable process is not there. So, people who are homeless for whatever reason who might need services from a relocation agency are literally falling through the cracks. It would be appropriate to have that kind of meeting also just as quickly as possible. Thank you.

Mr. Woods:

On Bill 1522, there wasn't much discussion at the Committee Meeting on Wednesday because of the Warner transfer and so forth; we kind of just brushed through this bill.

This is not in any way to interfere with relocation; in fact, this $35,000 will be matched by private funds. The purpose of this is, the Salvation Army right down here on the Boulevard of the Allies has a number of apartments where, if a family is burned out or evicted or some reason like that who loses their home immediately, that family can stay as a whole and go to the Salvation Army for one of these apartments where a husband, a wife and their children be housed temporarily until Relocation can find them a place to live.

I spoke with the people from Relocation and they are having their problems but when I explained the bill to her she was very enthusiastic about the bill. Therefore, I think it is a good bill. Winter is coming on and we all know what happens with gas and light and so forth being shut off or when people try to overheat a home and there is a fire and they're left stranded. This way they don't live in dormitory style living; the father and the male children do not go to the YMCA and the mother and the female children do not go to the Salvation Army or some other group. They stay as a family until they find another place to live. That's why I urge my colleagues to please pass this bill.

Mr. Robinson:

I think perhaps Mr. Woods is mistaken about the definition of relocation. Exactly the situation you described is a relocation effort. My point is that while I don't doubt that the Salvation Army is going to relocate homeless people, our Central Relocation Agency is supposed to do exactly that. We're taking $35,000 that might be needed by them for another effort without having resolved the issues of the Relocation Agency. The Relocation Agency is supposed to do exactly what the Salvation Army will do in terms of selecting people and finding the a facility. Fortunately, the Salvation Army has the facility and certainly we need to support that effort but we don't need to support that effort to the exclusion of a process that this Council sanctioned and that was for Central Relocation Agency to be established, for an advisory committee to be created and for an identifiable process. I'm simply saying, in passing this bill let's at least bring together again the Relocation Advisory Committee's people with the URA to find out where we are before another worthy group comes in and wants $35,000 more, that's all.

Mr. Woods:

Bill, I'll be at any meeting with you with the Relocation Agency, the Advisory Board; you know I have in the past. I got behind you and we started pushing together. But this, they don't relocate with these apartments; they're just providing a service, immediate service, and then hopefully the Relocation Agency can find them permanent quarters. This is just a short term facility to help these people out.

The Chair:

I'm aware that what Mr. Woods has indicated, that they'll provide this service on their Boulevard of the Allies facility. I am, however, aware that in years past, that when granted certain conditions, in their efforts to do good they extended the limits of what they were permitted to do by ordinance. I'm almost tempted to put a condition here that that's where it is. I'll waive at this moment amendment of the bill with the understanding that a letter from this Council that the Salvation Army realizes that they, like other agencies in the City of Pittsburgh, are given no better rights than anyone else to go beyond the bounds of their conditional use. I agree with the bill and I vote for it but I just want to make sure that they're not going to the North Side, Bloomfield, East End or the South Side, where they have some other facilities and enlarge that capacity beyond what that conditional use is without permission from the City of Pittsburgh.

Michelle Madoff:

I think Mr. Robinson raises a very cogent point. I don't think there's anybody in this room that would not want to help people who are in a fire or have to vacate their houses and families stay together anymore than we would not want to help people come in because their children or a member of their family is in the hospital and they can't afford to stay at a hotel and we supported a bill that Mr. Givens brought before this Council. But I find it ironic that we support selected bills and selected dollars of the taxpayers as we go through the year; it's sort of like somebody's pet bill. I could give you a lot of pet bills that my office is very supportive of and we'd like to see monies and I think we have even received some monies for, battered women, children of battered homes. I think this hodgepodge of the way we allocate funds is not the right way to do it. I think we have to look at the monies that come in each year from tax dollars and decide where the monies are going to go. That leads me to my question; where did you find the money, Mr. Woods?

Mr. Woods:

I believe the project numbers are listed but it's prior monies that were not used out of CD funds in the last few years.

Michelle Madoff:

Mr. Woods, would you not agree that those monies could have been used for unemployed youth, battered children and many other meaningful, important public services, human rights services in this community?

The point that I'm making is that it should not be our little pet charity. I think this is a very worthy one and I would support it with my own dollars. I'd be willing to make my own personal financial contribution and I think a lot of people would be willing to do that to come up with the $35,000. But I just wonder how we arrived at this process. It's the process that I'm questioning and I think in a sense that was what Mr. Robinson was doing. Am I correct, Mr. Robinson?

Mr. Robinson:

You're correct.

Michelle Madoff:

Why should we not be looking after the $35,000 providing just a place to sleep and a hot meal in the churches and houses of worship all over the City? Maybe we could service a lot more

people and maybe the $35,000 could be achieved through private contributions or a tag day in the street. We're being moved emotionally, we're being moved as human beings who care about somebody else, but we could take every issue like that. How do we set up a procedure that is more organized and more structured?

The Chair:

Obviously we made a judgment decision.

Michelle Madoff:

I understand that. I just wanted to comment on the procedure.

Mr. Givens:

On 1522, the fact that last year when we were in our deliberations on this year's budget and those agencies that came before this Council that I pleaded, along with some other Councilmen, anyone that drives on the Downtown streets you can see it more and more; they call them street people. However, it's even boiling over into our communities where people have become homeless and there's no one to take them in. I had forecasted then that we did not have enough appropriations in our budget at that particular time to take care of what I felt the groundswell was going to be of this type of situation. Hopefully our churches and synagogues can open up their doors and get back into helping people where government does not have the resources.

I strongly support any money going into this particular fund. The help has been said to keep a family together. The worst thing you can do in a crisis is to take a family and pull them apart; that causes more crises in the family itself and within the children. I think that's money well spent.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1549

A Resolution entitled, "Resolution providing for the Public/Private Financing of the Liberty Center Hotel/Office Complex and the securing of developers for the Project. — **(SPONSORED BY MR. ROBINSON)** (AS AMENDED IN COMMITTEE)

Which was read.

Michelle Madoff:

On Bill 1549, that is the Liberty Center Hotel/Office Complex, Mr. Robinson, we're going back to November 2nd. Is that correct? Is that the date? They have until November 2nd.

Mr. Robinson:

Yes.

Michelle Madoff:

We don't have to pursue that any further.

Mr. Givens:

On Bill 1549, and I would like to have the attention of my colleagues. Sitting on the Urban Redevelopment Authority Board for some four years, I've been along with other Board members and executive member of the Urban Redevelopment Authority, Paul Brophy, have been doing everything within our power to expedite, to probe the Liberty Center Hotel, Grant Liberty, and some of their funding sources.

One can look at today's financial institutions and try to read them and find out when the interest rates are going to be dropping but since this particular conglamorate has moved forward, the interest rates have been extremely high. They started out at around 18 or 19 percent and as we know, they might be dragging their heels but they might be dragging them for a purpose, and that is to get a better interest rate if they can. The interest rates again just dropped down this week. I caution Council that if we use November 2nd as a cutoff date which this Council can do, that puts it back in our lap. It takes it out of the control of the Urban Redevelopment Authority and we have to start all over again. We're looking at three years, ladies and gentlemen, and who are we going to get and who did we get to first come up on this? I ask that this be held in Committee, put back into Committee and held until that November 2nd when it comes up. Then, if Grant Liberty or the Liberty Development Corporation does not have any forward motion in they're financing mechanisms that they're working on today, if they can't come up with something very positive then I say we have to take a hard look at this because I can tell you and assure you that the Urban Redevelopment Authority is taking a hard look at it and has taken hard looks.

Let me tell you a little bit more into the development of this area. Just across the street at the Convention Center we have a bus depot there that one must look at. Across from that we have the Pennsylvania Railway Station. We have given certain companies leeway and waivers on that particular building to do what they're going to do. If I'm going to put almost a $103 million hotel there, I'd like to know who my neighors are going to be and what kind of neighbors they're going to be. I think one has been waiting for the other. I said if I were to put that hotel site in there I'd want to know what they're going to do with the Pennsylvania terminal and that has not been conclusively said. It's been said in the newspapers that it might be a real swank hotel on some of the levels and shopping and retail on the lower levels. To think that that is the hub of our transportation system in the City of Pittsburgh and the east quarter and the south quarter will be meeting there at the Penn Central Railway. All these are in combination and I plead with Council and I make a motion to put this bill back in Committee until the November date comes up. Then at that time, predicated upon what the developers will tell us and what the URA Executive Director, Paul Brophy, will tell us, try to leave the Authority handle this rather than trying to handle it ourselves. If we make a quick, rash decision here today to put this November 2nd date then we start giving them another 30 more days or another 15 more days then we're getting into the bailiwick of the people I think that should be doing it and that's the Urban Redevelopment Authority. That is our contracting arm from this Council and as a member sitting on that particular Board I have left the Board do

that. Let the Board make the hard decision and if that doesn't come about very shortly I agree with Bill that something has to be done. But don't set a hard date and I ask this and I put that in the form of a motion, Mr. President, that we hold this in Committee until November 2nd and see what happens. If need be we can pull it off the table the same date if we want to but I ask that we not vote on this today.

Mr. Wagner seconded the motion.

Mr. O'Malley:

Clarification of the motion, please.

The Chair:

The motion is to recommit this bill.

Mr. Robinson:

Mr. President and members of Council, last Wednesday for those Councilmembers who were present there was an extensive discussion on Council Bill 1549 which specifically deals with the issue of the Liberty Center Hotel/Office Complex. As Chairman of Planning, Housing and Development, like Mr. Givens I have followed this project from the very beginning until today. It's rather obvious that the project has had a number of difficulties. Council, the Administration and the URA have been very diligent and the developers have been very appreciative of everything we've attempted to do to allow them to build this project.

I am in support of this project being built just as quickly as possible. I am in support of anyone building it who has the financial capability, the interest, and the sanction of the City.

Specifically in reference to Mr. Givens' concern about November 2nd. The developers, the Grant Liberty Development Group, are already in technical default of their contractual obligation. Their contract provides for 30 days for them to correct that default situation. They were in default at 12:01 a.m. October 3, 1984. They have until 12:00 midnight, November 2, 1984 to correct that situation. They have my prayers and I offer my assistance that they make that date, if for no other reason, I would like to see the hotel and office complex built. These present developers can do it; I'd be more than happy to assist them. I'm on the record a year ago indicating that I did not think this development group had the capacity to build a hotel and office complex. I still stand by that. I don't think they have the capacity to do it. I would like to see them do it.

More than a year ago, this Council gave to the same development group and the URA a time frame. We gave them an extension of six months to conclude all their financial arrangements. The necessary people came before this Council and said that they would have it together by December 31, 1983. Councilman Robinson wanted them to have three months; Councilman DePasquale said give them six months and this Council said give them six months. So, instead of them being obligated to conclude all their arrangements on September 30, 1983, it was December 30, 1983. Mr. Jack Robin who is Chairman of the URA Board was here and he gave us his commitment on behalf of URA; Mr. Albert Ratner was here, the President of Ford City Development Corporation, on behalf of the developers and gave us his commitment. And here we are, October 22, 1984, without the hotel, without any signed agreements, only with the desire of all parties to see this project concluded. I think there's a point at which we must say, "enough". This

project was the product of a serious and substantive competition between 25 different development groups. A special blue ribbon panel was set up by URA to select the developer most qualified to build this hotel and office complex. The Grant Liberty Development Group won that competition. We have given them more than enough time with generous incentives. The hotel is at least three years behind in construction. November 2nd is the legal date that this development group is obligated to and it is the only date that URA can look to for their authorization to continue with this project. It's not a question of taking away from URA any authority or any authorization to do anything; legally the can't go beyond November 2, 1984 with this project. It was this Council that originally authorized the URA to develop the land in question. That land also contains the Penn Central Hotel site; I believe it's Redevelopment Area No. 46. It was this Council that authorized the application for the UDAG funds which are going to leverage this project. This Council has always had and still has the legal authority and obligation for the development of Redevelopment Area 46. Council Bill 1549 simply says to the URA, "If these developers that you have contracted with, and you have yet to sign an agreement with, who have yet to get their financing, who have yet to get a letter of credit, can't build this hotel and office complex, then let's get somebody else." I think we're well within our rights to do it and I think if we do not do it we're going to send a very negative signal to other developers who are holding property, who are waiting.

One last comment. There is at least one developer in that Redevelopment Area 46 who is waiting to see if this hotel and office complex is going to move. His option is up today on the 22nd and he's paying a hefty penalty each time he has to try to ask for an extension. Why should we continue to put pressure on that developer to the tune of $180,000 and not by the same token put pressure on these developers who are not required to pay us?

Mr. Woods made comment that last year we asked this developer to provide us with $50,000 every month up until the time that they signed their agreement. We were informed last Wednesday by the URA that that time limit only was for six months and that they had met that obligation. So now we're giving them more time without any penalties. I think enough is enough and I encourage everybody not to send this bill back to Committee but to vote on it now and to vote it up.

Mr. Woods:

Mr. President, last Wednesday at the discussions in the Committee Meeting I made a statement to Mr. Brophy that I believed that we gave this developer two or three extensions. Mr. Brophy corrected me. He said that it was four. I asked him some very hard questions about letter of credit; do they have their legal work done? He said he couldn't answer them and that he would get back to me. I haven't heard from Mr. Brophy since then and I called him Thursday and Friday and he hasn't returned a call yet.

The Chair:

It's my understanding he's out of town.

Mr. Woods:

It doesn't matter. I was supposed to have that information. This Council was supposed to have that information, whether they had their legal work, whether they had a letter of credit.

Evidently they don't. If they hadn't completed this project, or started on it, with four extensions, what is 30 days going to do for them? They sat here last June I believe it was, at a Committee Meeting — in fact, it was a post agenda — with representatives for the developers guaranteeing this Council that ground would be broken September 29th or October 1st. I spoke to Mr. Brophy, I believe it was September 21st or 22nd of last month. He said, "Ben, ground will be broken on the 29th." Today is the 22nd of October. I think enough is enough and I support my colleague and I hope all Council comes up, perhaps it will be 9-0 instead of 8-1. We have to move on because it will never be built. We can break ground by going with other developers now the next building season if we get another developer in here.

Mr. Wagner:

Mr. President and members of Council, in regard to this bill I think Councilman Givens' motion is very logical and that's the reason why I seconded it. I also expressed my opinion last Wednesday at the Committee Meeting in regard to the original bill that indicated an extension to November 30, 1984. I indicated at that time some of the reasons why I supported that and I'd like to clarify again some of the points I made last week and maybe shed a little additional light to this very important project.

This project began far before me being here on Council. As has been indicated, there has been four extensions; it goes back three, four, five years. The problems that exist in this particular project are far greater than I think anyone in this room realizes and they are related to an overall development plan in the City of Pittsburgh in this particular area. I personally do not think that that problem can be solved unless all the important members of this City sit down in the same room with this developer and the people wishing to finance this project and find out what those problems are. Not only do we have a problem here with Liberty Center but we have a problem right across the street with Penn Central Station. We keep providing extensions to that potential developer. There is an overriding development problem in the area around the Convention area. What needs to be done and has not been done is for the Conventioner Bureau, the Visitors Bureau, the Chamber of Commerce, the Golden Triangle Association, the Planning Department, the Urban Redevelopment Authority, the Mayor, members of Council, anyone and everyone interested in development of that particular area, to sit down in a room with this potential developer, the Penn Central potential developer and anyone else in that immediate area and let's talk about why it's not happening. A meeting of that type has never happened as far as I know and if it has, it's never been brought to my attention; I have never read it in the media and I don't think any member of this Council has ever brought it to my attention.

There is an overriding problem in regard to this project. I suggest that we as a body of Council suggest a meeting of that type take place with all of those people, we all sit down in the same room if it's 10, 20, 30 or 40 of us and talk about what the problem is that has never come to the surface. That's an overall coordination of development in that particular area. I think a meeting of that type warrants a 28 day extension to this project and I personally think if the project goes, fine; if it doesn't go, you know where we're sitting. Right now it almost is a flip of a coin as far as I can determine. Whether or not this project we are going to break ground on, whether

or not they are going to meet the November 2nd deadline, it's a flip of a coin. The project is too darn important to this City. And if they don't meet that deadline, how far behind will that throw us with another developer? It warrants 28 days but not just 28 days; it warrants a meeting, a required meeting of all interested parties in the same room, especially all members of this Council, with that extension.

That's what I'm suggesting and that's the reason why I seconded Mr. Givens' motion.

Mr. Woods:

One more comment. There was such a meeting, Jack, in June, maybe not all the players you were suggesting but members of Council, people from Metropolitan Life and the representatives from the developers and the URA. Everyone keeps using Mr. Robinson's name because it's his committee but he might have brought the issue up a year ago. This is Council; our credibility is on the line here, all nine members of this Council because four extensions and it's just a joke anymore. We can go to Council, we can talk to the right people and we can get another extension. That's over with, believe me. To all my colleagues, I urge you not to send this back to Committee. Vote in favor of this bill now, today, so we can finally move on with other business. If they can't do it by this date, they've had well over three years, four extensions, then we can get another developer and have it done.

Michelle Madoff:

Mr. Woods, I concur with everything you said; you're right on target. I think the media and the editorials are looking at us like we're a bunch of baffoons, that indeed we have not lived up to our obligation. The buck stops here, we have to vote. You're right and I think the 2nd is the date.

I would like my comments of October 17th when Mr. Wagner raised the issue of credibility and where do we go and what's happening.

(BEGINNING - MICHELLE MADOFF'S REMARKS ON BILL NO. 1549 - WEDNESDAY, 10/17/84)

Michelle Madoff:

I don't know how many members of this Council happened to see the Pittsburgh Magazine for this month. There is an article in it called "The Dream Merchants". I was so distressed when I read the article that at 10:30 at night I called Jack Robin at home. I said, "Jack, did you really say these things?". I have a meeting set up with him for lunch as soon as we can both clear our calendars. I think it is a week from Wednesday.

What Mr. Wagner has said is exactly what is in the article. It in essence says that all this city with a smile and all this construction going on is very deceiving, that there is no leadership in this community, that the Allegheny Conference, the Chamber, the Golden Triangle, the Southwest Regional Planning, Jay Aldrich, that nobody has taken leadership on a state level to pull it altogether.

I might remind this Council that it took 2-1/2 years to do a study which should have taken 6 months for the North Shore. While the Buncher Corporation agrees that they were not considered in that study and should not have been considered because at that time putting a Baltimore type of development in the Strip District was not viable because they did not have the busway and they

still had rail lines, they didn't own the property at the time the study was initiated. But a study should not take 2-1/2 years; a study should take no more than 6 months.

I understand there is another study underway to review the possibility of the Strip District being the area of development as opposed to the North Shore. My understanding is that if we were with the Strip District Development, which it ties into the Convention Center because it is on this side of the river and the hotel, we could have jobs, jobs, jobs immediately, as opposed to 5 years down the road if we go with the North Shore Development.

Furthermore, I stated yesterday that I have a developer who I have shared the information with Mr. Brophy, and he has already sent him the material. Is that correct, Mr. Brophy?

Director Brophy:

Correct.

Michelle Madoff:

And he is out of the Washington area, design, developer, the complete package. I've seen some of the work they've done; it is phenomenal. They work with unions, and when it is a problem of price they bring it in innovatively and well.

You can't ask anyone to come up with a plan, Mr. Wagner, or even spend the money for an RFP, unless there is really an opportunity to compete. If you continue past the November 2nd date, nobody is going to touch it until after November 30th. Is that correct, Mr. Woods? You deal with business people all the time. Why would they put together a package knowing that the existing developer may still grab it out of the fire. So, we are discouraging any other developer, or the ones that I know, in any event.

I would ask Mr. Perry to please get hold of a copy of the Pittsburgh Magazine, since Mr. Robin has stated that he is accurately quoted in the article. I think that Mr. Wagner's suggestion is dynamite, and it ought to be done at a meeting of this Council by inviting the Conference, the Golden Triangle, the people who appeared in the article of August 24th, and I don't recall if it was the Press or the Post-Gazette — I have that article in my office. People like Froggy and other business people are saying how their business is completely off in the Downtown area. It might be appropriate to invite the people from Mount Washington who are business people, who will tell you, who are trying to sell their properties up there, that until that road opens there is nothing going to happen in development up there.

You talk about tourism. If you think the first, number one priority tourist item is not the overlooks on Mount Washington, you're wrong. With this Indian Summer weather people are getting up there despite the fact that they can't get up there. It used to be you couldn't walk on the street; it isn't like that now. There are a handful of people going up there. It is the greatest tourist attrraction we have. It is as pretty as Rio DeJaneiro. It is phenomenal. We are not doing it because, with all due respect, where has the leadership been in this community.

I don't know where the leadership is going to come from, but there is something very thick, very wrong, and I think Mr. Wagner has had the guts to put his finger on the pulse and to say we are pretending. It is like politics with smoke and mirrors. People get elected because they have high name identification.

What is happening in this community is that we are saying — look at all the construction going on. Well, let me tell you about that construction going on with something I just learned. As you know, J & L is moving to Cleveland. Do you know that J & L is committed to paying 10 years of rent for the space they vacated? They are now going to put it up for maybe $5.00 a square foot. Do you know what that's going to do to the property that we say is really not there, that we are doing better than we thought we were going to do? It is all smoke and mirrors.

I support November 2nd. I support an immediate meeting, not just with the administrations running for office, both Mayor and Governor, but with every member of this Council, and I am not running for office now; and let us invite all the interested parties who are directly affected. Mike, would you get hold of the article, I have it in my office, the 24th; all the business people who have written to the Mayor and stated their concern from the Downtown business deteriorating, all the people that would have a direct or indirect concern with making this City more viable, and find out what is the real problem. I think we might also discuss something like why we don't have enough police; you can't have a convention center if you don't protect people.

(END - MICHELLE MADOFF'S REMARKS ON BILL NO. 1549 - WEDNESDAY, 10/17/84)

Michelle Madoff:

With due respect, Mr. Wagner, since you have just been freshly elected to Council this past year, you're not aware of what some of us have gone through and have been exposed to over a long period of time, Mr. Stone a great deal longer than myself, in my case only six years. But I think what you're doing, sir, is mixing apples and oranges. Pittsburgh Magazine this month has an article called The Dream Merchants. I'm ashamed to say that I didn't make a contribution to WQED this year so I had to buy it on the newsstand but I'm going to correct that very quickly, but as I referred to the article last week and I think it's important to put in the record I think our office sent a copy of the article to every member of Council, I had asked Mike to buy a magazine for everybody but our office did make copies and I think every member of Council got it.

I would like to read something from this article which relates to what Mr. Woods and Mr. Wagner are talking about. This is Mr. Robin quoted. I called Mr. Jack Robin at home at 10:30 at night because I was absolutely flabbergasted; I couldn't believe what I was reading. It comes back to what Robin observered. "It isn't that someone isn't doing his job; everyone is doing what they are supposed to be doing, it's just that no one is responsible for overall regional development."

Then there are comments that I could go on and on reading about how this whole area is in a terrible, terrible situation. I've been talking about it for four years with our $1 billion debt. I referred to the article of August 24th in my comments the other day and I would like to point out to Councilman Wagner that I supported him and I have a copy of the transcript of that statement because the media pointed out that a number of us had left the meeting. I think at that point the reporter had left to do his story and did not know that we had asked for a meeting of all the parties that you are asking for today. I am asking for a meeting and Mike Perry is setting it up, is that correct, Mike? Once the President sets the date of the Mayor and

Governor's Office with every member of Council, with the Golden Triangle, the Conference, the Chamber of Commerce, Penn Southwest, because this article says that everybody is sort of plugged in like telephone operators but nobody is in charge. It's like an animal without a head; every arm is flinging in different directions and nothing is happening in this community and we're in big trouble. I think that's separate and apart from this particular issue of November 2nd. We've got to vote on that as a separate entity and get on with all the other things that need to be developed in this community.

I have a copy of a letter from Mr. Brophy that he sent to a developer in Washington, D.C., at my request, pointing out that this project may be available for them to bid on but if it is not there are other projects for them to bid on or to be involved in in this community. Maybe we need to include at that meeting some developers to see what we can do to salvage —

The Chair:

Let me get back to whether or not we're going to recommit this bill.

Michelle Madoff:

I'm just pointing out, Mr. Stone, that Mr. Woods is on target and Mr. Wagner is really in essence talking about apples and oranges. His points are well taken and I think this kind of article not to be discussed in Council is something that we should be discussing in a post agenda or something.

The Chair:

The question the Chair has before it is whether or not the bill should be recommitted.

Mr. Woods:

Call the question.

Mr. Givens:

I vote aye on the recommittal and for this reason. The Urban Redevelopment Authority has been invested by this Council and the plan that we have for the development of that whole area and that area has not developed. To give you an idea, for example, the Convention Center cost the City of Pittsburgh and its taxpayers $25 million. The Penn Central Station sold just recently, several years back, for $2.6 million. Where the existing Greyhound facility is located there was supposed to be some office complexes going in there. If you walk down Liberty Avenue I say to anybody in this Council and if you were a financier from another community and walked down there, would you want to put there the hotel site? Remember, fellow Councilmembers, there hasn't been a new hotel built in the City of Pittsburgh for 34 years. You better ask yourself the question why. Before that hole was even in the ground, we're going across the river to the old ballpark, the Stadium, and just had a grandiose plan that was submitted to us which was very good and I'd like to see it developed.

Here you are, a developer, trying to put a hotel site in with all these minus factors upon you. If you think you'll just leave these people go who have been working then I would assume you mentioned that one is assessed $180,000 a year, I can guarantee you if they added up all the time, legal fees, and financial fees, etc., they're into the millions of dollars that they have put into this development as of this date and if we on this Council, and as the bill indicated, they list everyone, the Mayor's Office, the URA, the Planning Commission, you

name it, and I think Jack Wagner hit the nail on the head when he said why can't we get together and sit down with these people along with the developers and put some restrictions and restraint. We put a convention center in there that I had to vote for when I first came on Council that I wanted to vote no for because there's railroad tracks separating it from the rest of its development, at which time under the previous Administration the City had the right to purchase that for zero or one dollar consideration. They have a wall separating the Convention Center from the rest of the Lawrenceville strip. That has to be developed. This hotel site was to complement that. Eventually I hope we could get rid of that railroad that comes right through Downtown Pittsburgh; it's a disaster if anything rolls off of it because of the rickety old bridge that should have been torn down a long time ago. But that's beside the point.

I mentioned the cost of some other surrounding buildings and when you look then at a corporation that's going to come in and put over $100 million and some and the first time a new hotel is going to be built in 34 years, the Hilton was the last hotel and we only have the William Penn; the other old one was torn down and it was a beautiful hotel, on the same exact site as this one is going to go on.

I ask the Councilpeople to consider these facts and that we not put the total burden on this Council. You say this Council should act, Mr. Woods indicated; but I say there are many other actors within this particular development that must get their act together and sit down in all consciousness. Are we going to leave it a hole in the ground out there, a parking lot? I can say one thing; we're making money on parking vehicles out there, we're not losing any money. The URA is in the parking business, that's all. I want this hotel and convention site to come in. If it does come in and even if it takes another month or two months, you'll see how quickly another developer is going to move in there until the actions that I have spoken of, the actions that Mr. Wagner has spoken of, will come into some type of development in this area. We must get commitments from other developers down there before I think this thing can go forward. I said that four years ago and I said it before the URA Board.

I'll say no more because if I do I might get into a little bit of trouble but God bless these people from the Grant Liberty. They have searched high and low for their money and it's pretty hard to come by and I think they have a lot of minuses working for them and the least we could do is give them one plus factor and at least change it to November 1, that's All Saints' Day and November 2 is All Souls Day.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Wagner

AYES 2 NOES 7

VOTING NO:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

The Chair:

On the bill itself?

Mr. Robinson:

I'm going to vote aye and on Bill 1549 I'd just like to remind Council that the Metropolitan Life Insurance Company which has agreed, at least to date, to provide approximately two-thirds of the financing for this project which amounts to about $100 million. It has over $300 billion in real estate assets; there's obviously enough money to make this project work, for whatever reasons the parties have been unable to find an agreement.

Mr. Wagner:

I vote no on 1549 and in response to Mr. Robinson, that's exactly why I think we should have recommitted this bill because the people behind this project are professionals at it and I think there's an overriding reason that has not been brought to light.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES 2

(MR. GIVENS AND MR. WAGNER VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

Bill No. 1619

Report of the Committee on Parks and Recreation for October 17, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1524

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Youth City of Pittsburgh, Incorporated for services relative to providing a Thanksgiving dinner for needy people, and transferring the sum of $1,500.00 from Code Account No. 10, Accounts Payable, Prior Years, to Code Account No. 1838, Miscellaneous Services, Department of Parks and Recreation." **—(SPONSORED BY MR. STONE)**

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President, I have a bill that was going to be a floor motion and it was prepared in error; it's going to be prepared as a regular bill which will be submitted on Monday. It's not an urgent matter.

The Chair:

You're not going to present that?

Michelle Madoff:

That is correct.

The Chair:

Okay.

Mr. O'Malley:

If possible I'd like to have Mr. Curtis Price come up and Police Officer Craig Edwards so I can present the resolution.

Mr. Curtis Price is the Executive Director of the Thunderherd Junior Drum and Bugle Corps and Officer Craig Edwards is the Director.

Mr. O'Malley presents

No. 1620 WHEREAS, the Thunderherd Junior Drum and Bugle Corps, a non-profit youth organization that serves inner-city children, providing them the opportunity to participate in activities that allow them to express their talents; and

WHEREAS, the Thunderherd Junior Drum and Bugle Corps acts as an extended family helping to build character, and promoting achievement through education; and

WHEREAS, the Thunderherd representing Pittsburgh, has successfully competed in scores of musical events, winning many laurels which has brought further recognition to our City; and

WHEREAS, Mr. Curtis Price, Executive Director of the Corp, and Police Officer Craig Edwards, Director have given unselfishly of their time and energies to promote the good works of the organization.

NOW, THEREFORE,

BE IT RESOLVED, by the Council and Mayor of the City of Pittsburgh to honor this outstanding organization, its Directors and members thanking them for a job well done and for making Pittsburgh someplace special.

Mr. O'Malley moved to adopt the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. O'Malley:

My own comments, it is people like Mr. Price and Mr. Edwards that give their time unselfishly to help the youth

of our City that truly does make Pittsburgh someplace special. I'd like to present this resolution and I'd like to have Mr. Price step up and say a few words.

Mr. Price:

Mr. President, Mr. O'Malley and members of Council, ten years ago I would never have realized that today we would be receiving such a prestigious award from the City of Pittsburgh. Certainly we did not have this in mind ten years ago in 1974 when we started with kids throughout our project areas throughout the Hill District, St. Clair Village, Arlington Heights and every other district that you could possibly think of through the City of Pittsburgh.

We have now come from 12 young men and young ladies to 108 participating members of the Thunderherd Drum and Bugle Corps. We did not do this for any material gains but only from our heart to try to help our youth, to keep them off the streets and keep them out of Shuman Center.

Today I want to thank the City of Pittsburgh, Mr. O'Malley and all of those who have contributed to this award. For once in our life we have received something because we have done it from our heart and not for material gains. Thank you.

Mr. Robinson:

Mr. President and members of Council, as everyone is aware, over the last seven or eight years we have been very much honored by the services of the people who serve on our Cable Communications Advisory Committee and I think it would only be fitting for this Council to recognize their accomplishments and to recognize their hard work. Unfortunately we have no monetary compensation to provide to them but we certainly can provide them with our appreciation. Therefore, Mrs. Masloff and I have put together this resolution, Resolution 907, to address the concern I just spoke about.

Mr. Robinson and Mrs. Masloff present

No. 1621 WHEREAS, the City of Pittsburgh Cable Communications Advisory Committee, has served with distinction, since its inception, the Mayor and the Council of the City of Pittsburgh; and

WHEREAS, the City of Pittsburgh Cable Communications Advisory Committee has worked diligently to provide the people of Pittsburgh with quality Cable Communication Services both by way of Warner Cable Corporation of Pittsburgh and PTCI; and

WHEREAS, the Mayor and Council owes to the Cable Communications Advisory Committee a debt of gratitude and appreciation for their services and dedication; and

WHEREAS, the City values their service and participation and wishes to acknowledge same to the people of Pittsburgh.

NOW, THEREFORE,

BE IT RESOLVED, that Council and the Mayor of the City of Pittsburgh does honor and recognize the accomplishments of present and former members of the City of Pittsburgh Cable Communications Advisory Committee now and henceforth.

Mr. Robinson moved to adopt the resolution.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mr. Robinson:

If I might, Mr. President, upon the approval of this resolution, I'd like to have a gold seal copy of this resolution in a frame sent to all present and former members of the Cable Communications Advisory Committee. I think it would only be appropriate for them to have some token, some small token, of our sincere appreciation for the many hours and hard work they've given to the City of Pittsburgh.

Michelle Madoff:

Discussion. Mr. Robinson, I think a real meaningful recognition of the Advisory Board on cable would be the appointment of someone with the fiscal expertise, knowledge in economics, which they have requested to their board. When they come before this Council and tell us that they cannot recommend a form of rate structure because they don't have a fiscal analyst, I think we are not really honoring them by giving themwhat they need. I would hope that never again would this Council be put in an imprudent position as we were when we initially voted for Warner when we voted based on information that nobody really knew very much about and that no one bothered to find out whether the contract was a real, valid, viable, workable kind of operation as opposed to becoming a poker game where we'll raise you 16 channels, I'll give you 200 channels, and I don't want to reiterate it, but if you really want to honor these people then give them what they need, the tools to do their job, the people to advise them, and I urge that we honor them by appointing a fiscal person to the Board and making that an immediate appointment, by expanding the Board or filling a vacancy.

The Chair:

In the meantime, you're not opposed to the resolution, are you?

Michelle Madoff:

Absolutely not.

Mr. Wagner:

Mr. President and members of Council, I'd like to ask three people to come forward; Charlotte Wertz who is Treasurer and Chairperson of Public Relations for the Pittsburgh Paralegal Association, Susan McGivern, President of Pittsburgh Paralegal Association, and Janet Bickel, Treasurer of the National Federation of Paralegal Associations.

Mr. Wagner presents

No. 1622 WHEREAS, the Pittsburgh Paralegal Association was founded in 1977 to promote the professional development and continuing education of paralegals and legal assistants in Pittsburgh; and

WHEREAS, this beneficial association has sponsored various seminars and activities on all aspects of the law, and has welcomed prominent judges and attorneys as speakers to expand and extend its members' knowledge of law, and has cooperated with the local Bar Association and courts in various promotional activities; and

WHEREAS, the Association's membership includes all areas of the legal community such as law firms, banks, the public sector, local government, corporations and educational institutions.

NOW, THEREFORE,

BE IT RESOLVED, that Pittsburgh

City Council does hereby commend the Pittsburgh Paralegal Association on the Seventh Anniversary of its founding, as we proclaim Thursday, October 25, 1984 "Paralegal Day" in the City of Pittsburgh, and we urge its members to continue to pursue their goals of excellence.

Mr. Wagner moved to adopt the resolution.

Michelle Madoff seconded the motion

Which motion prevailed.

Mr. Wagner:

I'd just like to state that we have with us these three ladies today and I know that Charlotte would like to say a few words.

Ms. Wertz:

Mr. President and members of Council, on behalf of the members of the Pittsburgh Paralegal Association and the Paralegals in the City of Pittsburgh, I wish to accept this proclamation on their behalf.

The paralegal profession is a relatively new profession and although we are a new career we continue to strive to maintain our professionalism and cooperation with the members of the legal community. Only in this way as we continue to pursue the excellence that we have learned in school and in our profession we will then be able to serve the attorneys and the general public who are the consumers of such legal services and the service that they so deserve.

On their behalf, they join me in thanking Councilman Wagner in presenting this proclamation and I thank the rest of you also. Thank you.

Michelle Madoff:

Mr. Stone, comment. This Council will have a bill before us again for about the fifth time; Mr. Robinson has introduced it a number of times and I've introduced it, so that this Council can have its own legal counsel. Wouldn't it be wonderful if that legal counsel hired a paralegal? Thank you.

And on the motion of **Mr. Robinson**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, October 29, 1984 No. 42

Municipal Record

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, October 29, 1984

PRESENT:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

Michelle Madoff:

Mr. Stone, the Robert's Rules says that I rise but it was a little more convenient for me to sit. I wish to at this point state that I do not wish to be judge or jury. I am not qualified to do that, but I would like to point out to you that immediately upon learning of the involvement of the Allegheny County Elections Director James Scanlon's alleged involvement with C.T.A., the County Commissioners relieved him of his supervisory responsibilities, but did not remove him from the Election Board.

The position of the Commissioner's was taken to "insure the public perception and integrity of the election process," and Mr. Scanlon stepped down graciously, so that the Election Board would not be in any way compromised.

I would ask you very sincerely to do the same thing, to graciously step down as President of Council because you wield a tremendous amount of power as the President, and to be a member of this Council until this issue has been resolved.

I think it is appropriate. I think you ought to think about it seriously. I think the Commissioners have spoken. I have a copy of the indictment and I have read that copy, and Mr. Scanlon appears from what I have read not to have been as seriously implicated as you are being allegedly implicated. I would ask, sir, for your own self as a sense of your caring about the image of this Council that you've expounded on so often, that you graciously step down and turn the gavel over to whomever you think is appropriate.

The Chair:

As you indicated, you don't want to judge me. Neither do I want you to judge me. No charges have been brought

against me, and in view of that, I will not relinquish my position as President of this City Council.

Mr. Givens, presentation of papers.

Michelle Madoff:

May we discuss it further, or is that out of order to do that?

The Chair:

We're past that now.

Michelle Madoff:

I'm surprised at my colleagues sitting there allowing this to happen without allowing to have discussion.

The Chair:

Proceed. You are out of order, proceed.

Michelle Madoff:

Well, I'm not out of order, because I can ask for a second to have discussion on that. You've not given me that prerogative.

PRESENTATIONS

Mr. Givens presented

No. 1622 Resolution transferring the amount of $2,500.000 from Code Account 1503, Supplies, Director's Office, Index Code 150300 to Code Account 1502, Misc. Services, Director's Office, Index Code 150201 and the amount of $3,000.00 from Code Account 1612-3, Brooms and Broom Accessories, Bureau of Operations, Index Code 161232 to Code Account 1611, Supplies, Bureau of Operations, Index Code 161109.

Which was read and referred to the Committee on Finance.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Also,

No. 1623 Resolution providing for the purchase of certain property on Pennsylvania Avenue from Michael J. and Emilie Casiglio, Pauline Singer, Contractors Equipment Service Company, and Eugene's Bar, for street improvements and other public purposes, in lieu of condemnation, in the 25th Ward of the City of Pittsburgh.

Also,

No. 1624 Resolution accepting the dedication of Brighton Woods Road as shown on the Northgate Redevelopment Area No. 35 Plan (Contract No. 2) in the 27th Ward of the City of Pittsburgh, by the Urban Redevelopment Authority for highway purposes, opening and naming the same fixing the width and position of the roadway and sidewalks, and accepting the grading, paving, curbing and sewers thereof.

Also,

No. 1625 Resolution granting unto the Park Building, 225 Fifth Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Skylight Marquee over a portion of the sidewalk of Smithfield Street in the 2nd Ward of the City of

Pittsburgh.

Also,

No. 1626 Resolution granting unto the Ewart Building, 921 Liberty Avenue, their successors and assigns, the privilege and license to construct, maintain and use, a t their own cost and expense, a transformer vault over a portion of the sidewalk at 921-925 Liberty Avenue, in the 2nd Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 1627 Resolution providing for a transfer of funds in the amount of $65,000.00 from Code Account 1154, Rental of Motorized Equipment, to COde Acount 1149, Tires, Tubes and Chains; and providing for the transfer of funds in the amount of $35,000.00, Code Account 1154, Index Code 115410, Rental of Motorized Equipment, to Code Account 1126-1, Index Code 112615, Premium Pay, Department of General Services.

Which was read and referred to the Committee on Finance.

Also,

No. 1628 Resolution amending Res. No. 472, approved June 5, 1984, entitled: "Providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the furnishing and delivery of Computer Workstation Furniture for the Bureau of Information Systems, Dept. of the Mayor, by inserting the use of existing Contracts in the body of the Resolution.

Which was read and referred to the Commitee General Services.

Michelle Madoff:

No. 1629 Resolution authorizing Pittsburgh City Council to hire an individual to serve as Council's Legal Advisor for the purpose of providing City Council with legal opinions and other legal services and advise relative to the operation of the City of Pittsburgh. **—(SPONSORED BY MICHELLE MADOFF)**

Which was read and referred to the Committee on Finance.

Mrs. Masloff presented

No. 1630 Resolution amending Res. No. 541, approved June 24, 1984, entitled: "Authorizing the Director of the Dept. of Parks and Recreation to implement a Children's Fingerprint Identification Program, at a cost not to exceed $5,000.00, chargeable to and payable from Code Account S.P.P. (Special Parks Programs Trust Fund); and transferring the sum of $5,000.00 from Code Account 10, Accounts Payable Prior Years, to Code Account S.P.P. (Special Parks Programs Trust Fund)," by increasing the appropriaton from $3,000.00 to $5,000.00. **—(SPONSORED BY MRS. MASLOFF)**

Which was read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 1631 Resoltion providing for the issuance of a warrant in favor of Fireforce, Inc., P.O. Box 33, Gibsonia, PA 15044, in the amount of $100,763.00, in payment of air compressor, air bottles, and air masks, for the Department of Fire, chargeable to and payable from the Department of Fire, Code Account No. 1468, Index Code No. 146803, Equipment.

Also,

No. 1632 Resolution transferring the sum of $170,000.00 from Code Accounts with the Department of Fire as follows: $5,000.00 from Code Account No. 1463, Index Code 146308, Misc. Services, to Code Account No. 1464, Index Code 146407, Supplies and Materials; $150,000.00 from Code Account 1461, Index Code No. 146100, Salaries and Wages, Regular and Temporary Employees, to Code Account No. 1461-1, Index Code No. 146118, Premium Pay; $15,000.00 from Code Account No. 1461-1, Index Code 146100, Salaries and Wages, Regular and Temporary Employees, to Code Account No. 1461-2, Index Code No. 146126, In-Grade Pay, Department of Fire.

Also,

No. 1633 Resolution transferring $300,000.00 from Code Account 45, Index Code 004507, Health Insurance, Municipal Employees, Department of Finance and $300,000.00 from Code Account 44, Index Code 004408, Workmen's Compensation Fund, Dept. of Finance to Code Account 1470, Index Code 147009, Purchase of Uniforms, Dept. of Fire.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1634 Resolution Repealing Res. No. 877, approved October 11, 1984, effective October 18, 1984, entitled: "Providing for the letting of a Contract or Contracts for the furnishing and delivery of 100 ea. MSA Low Pressure 2216 PSIG, fully wound Composite II cylinders, 45 cu. ft. capacity complete with valve; 40 ea. MSA High Pressure, 60 ea. High Pressure.

Also,

No. 1635 Resolution providing for the letting of a Contract or Contracts for the furnishing and delivery of Turn-out Firefighter Coats; Turn-out Firefighter Trousers; One-half Length Firefighter Boots; Cairns 660C Metro Model Firefighter Helmets; and Firefighter Gloves, at a cost not to exceed $600,000.00, payable from Code Account No. 1470, Index Code No. 147009, Purchase of Uniforms, Department of Fire.

Which were read and referred to the Committee on General Services.

Also,

No. 1636 Communication from Charles Lewis, Chief, Dept. of Fire, requesting an amendment to Council Bill No. 1502 to read, Robert Conley and Gilbert Westphal instead of Robert Conley and Eugene Thomas, at a cost not to exceed $550.00 per person, payable from Code Account No. 1463, Misc. Services and Repairs. Permission is also requested for use of a City vehicle.

Which was read and referred to the Committee on Public Safety.

Mr. Robinson presented

No. 1637 Resolution providing for an Agreement or Agreements with a Consultant or Consultants to prepare a status report, slide show and brochure for the Historic Review Commission in connection with the Certified Local Government Program Project, at a cost not to exceed $11,350.00, chargeable to and payable from the Certified Local Government Program Grant Project Trust Fund, created by Resolution 406, effective May 29, 1984.

Also,

No. 1638 Resolution amending

Res. No. 123, approved February 27, 1984, effective March 9, 1984, entitled: "Authorizing the Mayor and the Director of the Dept. of City Planning, on behalf of the City of Pittsburgh to enter into an Agreement or Agreements, in form approved by the City Solicitor, with consultant or consultants for the purpose of performing an aerial photographic survey, producing orthophotographic images, and revising and updating the base maps kept by the Dept. of City Planning," to be amended by the inclusion of the phrase, and providing for the purchase of a vacuum frame printer by the Department, at a cost not to exceed $115,000.00.

Which were read and referred to the Committee on Planning, Housing and Development.

Also,

No. 1639 Resolution authorizing and providing for an Agreement or Agreements with a commercial banking institution, for professional services in connection with the collection of Amusement Tax forms and direct deposit of Amusement Tax payments; and the requirement of confidentiality of all banking institution personnel and the payment of an appropriate fee to be authorized by the Mayor and Council. --**(SPONSORED BY MR. ROBINSON)**

Which was read and referred to the Committee on Finance.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also,

No. 1640 Resolution supplementing Res. No. 849 enacted September 17, 1979, approved September 20, 1979, entitled: "Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the Giant Eagle Distribution Center Urban Development Action Grant Project; providing for the execution of a Grant Contract and for the filing of requisistions and other data; approving the Giant Eagle Distribution Center Urban Development Action Grant Project; providing for required assurances; providing for exeuction of payment vouchers on letter of credit and for certification of authorized signatures, creating a special trust fund in connection with the project; and providing for the deposit of the funds in a bank account", by adding a provision authorizing the City of Pittsburgh to submit to HUD a financial status report and related certification and to enter into a Grant Close-out Agreement with HUD.

Also,

No. 1641 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 11 by changing from "R5" Multiple-Family Residence District to "C3" Commercial District certain property located on the southerly side of CENTRE AVENUE between S. GRAHAM STREET and S. NEGLEY AVENUE, 7th Ward.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 1642 Resolution further

amending Res. No. 21, effective February 9, 1984, as amended, by Res. No. 69, effective February 24, 1984, entitled: "Providing for the issuance of a warrant in favor of Noralco Corporation, in the amount of $440,625.00, in payment for an Emergency Contract furnished for the benefit of the City in connection with the E. Sycamore St. Hillside Stabilization, including necessary work on private property, and other work incidental thereto; and providing for the payment thereof", by amending the title and increasing the amount of the warrant to be issued by $34,992.02, from $440,625.00 to $477,617.02, chargeable to and payable from Code Account PW 83-31; 4-13-01-0147-83, Index Code No. 301101, E. Sycamore Street Hillside Stabilization.

Which was read and referred to the Committee on Finance.

Also,

No. 1643 Resolution amending Res. No. 142, effective March 11, 1982, entitled: "Providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the Herron Hill Reservoir Leak Study; and providing for the payment of the cost thereof," by decreasing the total project allocation from $29,970.00 to $29,044.61, chargeable to and payable from the 1977 Community Development Unspecified Local Option, 4-40-30-0010-77-918-77-13.

Also,

No. 1644 Resolution amending Res. No. 143, effective March 11, 1982, entitled: "Providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the Blessing Street Landslide Reconstruction; and providing for the payment of the cost thereof," by reducing the total project allocation from $12,200.00 to $11,038.80, chargeable to and payable from the 1977 Community Development Unspecified Local Option, 4-40-01-0150-77-919-77-13.

Also,

No. 1645 Resolution further amending Res. No. 1210, effective January 1, 1984, as amended, entitled: "Resolution adopting and approving the 1984 Capital Budget and the 1984 Community Development Block Grant Program, and approving the 1984 through 1988 Capital Improvement Program," by increasing a line item and by adjusting the Summary Totals.

Also,

No. 1646 Resolution amending Res. No. 692, effective August 21, 1984, entitled: "Providing for an Agreement or Agreements for Architectural/Engineering Services and a Contract or Contracts, including the use of existing Contracts for construction of the No. 29 Fire Station on Noblestown Road (formerly No. 10); and providing for the payment of the costs thereof," by increasing the total project allocation from 675,000.00 to $725,000.00, chargeable to and payable from Code Account LB 84-17, 4-13-80-1954-84, Index Code No. 350264, Engine No. 29 (West End) Design, Land Acquisition and Construction.

Also,

No. 1647 Resolution Repealing Res. No. 139 of 1982, entitled: "Providing for a Contract or Contracts for waterline in conjunction with the Repaving of Grant Street between Liberty Avenue and 6th Avenue and the Repaving of Liberty Avenue between

10th Street and 12th Street - Phase I, at a cost not to exceed $500,000.00, chargeable to and payable from Capital Budget Account No. WD-81-13, Liberty Avenue, 7th Street to 12th Street & Grant Street, 4th Avenue to 11th Street, 4-05-20-1050-81 (4-13-54-1050-81, Index Code No. 311506)." Is hereby Repealed in its entirety.

Also,

No. 1648 Resolution Repealing Res. No. 680 of 1983, entitled: "Providing for a Contract or Contracts for Waterline Relay in conjunction with the Reconstruction of the Pennsylvania Avenue Bridge, at a cost not to exceed $220,000.00, chargeable to and payable from Capital Budget Account No. WD-83-13, 4-05-20-1070-83 (4-13-54-1070-83, Index Code No. 311852), Department of Water." Is hereby Repealed in its entirety.

Also,

No. 1649 Resolution Repealing Res. No. 758 of 1983, entitled: "Providing for a Contract or Contracts for Cleaning and Cement Lining of the 42-1/2" and 42" Water Main in Butler Street, at a cost not to exceed $1,100,000.00, chargeable to and payable from the 1983 Capital Budget Account No. WD-83-05, 4-05-10-0100-83, (4-13-48-0100-83, Index Code No. 310706), Department of Water." Is hereby Repealed in its entirety.

Also,

No. 1650 Resolution Repealing Res. No. 759 of 1983, entitled: "Providing for a Contract or Contracts for Painting of the Herron Hill and Squirrel Hill Water Tanks, at a cost not to exceed $115,000.00, chargeable to and payable from Capital Budget Account No. WD-83-01, 4-05-01-0980-83 (4-13-40-0980-83, Index Code No. 310102), Department of Water." Is hereby Repealed in its entirety.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Woods presented

No. 1651 Resolution providing for the issuance of a $1,060.00 warrant in favor of Ronald W. Nestor in full settlement of claim for vehicle damage by a Department of Fire vehicle, payable from Code Account No. 46, Judgments, Index Code No. 004606.

Also,

No. 1652 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, requesting authorization for George R. Whitmer to attend meetings of the Pennsylvania League of Cities in Harrisburg, PA, on November 19 & 20, 1984, at a cost not to exceed $500.00, payable from Code Account No. 1017.

Also,

No. 1653 Communication from Raymond E. Johnson, Jr., Deputy City Controller, requesting authorization for Jeanne Terrence to attend the "At Will" Termination Course to be held at the Hyatt Pittsburgh, on December 10, 1984, at a cost not to exceed $300.000, payable from Code Account No. 1048, Misc. Services.

Also,

No. 1654 Communication from Melanie J. Smith, Director, Dept. of Personnel & Civil Service Commission, requesting authorization for Bernard M. Schneider to attend an American Arbitration Association Committee meeting in Washington, D.C., on

November 1, 1984, at a cost not to exceed $50.00, payable from Code Account No. 1100, Misc. Services.

Also,

No. 1655 Communication from Dante Pellegrini, City Solicitor, submitting a report summarizing settlement claims not exceeding $750.00 for the Third Quarter of 1984, payable from Code Account 1081, Petty Claims. Also, submitting a report summarizing settlement claims in excess of $750.00 for the Third Quarter of 1984, payable from Code Account No. 46, Judgments.

Which were severally read and referred to the Committee on Finance.

UNFINISHED BUSINESS

The Chair presents

Bill No. 1181 Resolution approving the re-appointment of Mr. Kellen McClendon of 5624 Fifth Avenue, Pittsburgh, PA 15232 to the Minority Business Committee for a term to expire April 1986.

Which was read.

Also,

Bill No. 1183 Resolution approving the re-appointment of Mr. Reginald Young of 925 Wellesley Road, Pittsburgh, PA 15206 to the Minority Business Enterprise Review Committee for a term to expire April 1986.

Which was read.

Also,

Bill No. 1187 Resolution approving the re-appointment of Mr. John Gabriel of 149 Hornaday Road, Pittsburgh, PA 15210 to the Minority Business Committee for a term to expire April 1986.

Which was read.

Also,

Bill No. 1203 Resolution approving the appointment of Ms. Margaret Ringel Baker of 137 Grandview Avenue, Pittsburgh, PA 15211 to the Minority Business Committee for a term to expire April 1986.

Which was read.

Also,

Bill No. 1534 Resolution approving the appointment of Regis Darrow Bobonis of 5246 Forbes Avenue, Pittsburgh, PA 15217 to the Minority Business Enterprise Review Committee for a term to expire April 1986.

Which was read.

Mr. Robinson:

Mr. President and Members of Council, last Wednesday I asked that the names that were just read not be presented to Council until I had an opportunity to attempt to conclude some discussions and negotiations with the Administration.

I still respectfully request the names that have been read not be considered by Council until I attempt to conclude those negotiations. I would hope that the President of Council would exercise his prerogative not to have those names considered today.

The Chair:

I don't know that the President can do it, but —

Michelle Madoff:

Is that a motion, Mr. Robinson? I'll second it.

Mr. Robinson:

Well, I made a motion on Wednesday, and it was my understanding that that motion passed and that these names would not be considered today.

The Chair:

No, if I recall what happened on Wednesday, I thought that the thing would come up now and your motion would then be entertained. We did not resolve anything on Wednesday. The question, however, is the matters of the appointees. Mr. Robinson, I assume, is making a motion and I now have a second from Michelle. Is that correct?

Mr. Robinson:

Correct.

Michelle Madoff:

Second.

The Chair:

The motion, as I understand it, is to hold these appointments at this time. I have a motion and a second. Any discussion?

Michelle Madoff:

Yes. I think it would be awkward for me to vote for people who I have a great deal of respect for the three people on the Mayor's staff as Directors when I've asked them to please remove their own names because of the conflicts of interests that might be inherent. I think Mr. Robinson is asking just for some time to meet with the Administration to work these problems out. I think he's been trying for years and he's not had a wedge in which to negotiate. If we take this away from him what we've done is under-cut him completely and he's has nothing with which to negotiate. I think we should at least give — Mr. Robinson, would you say two weeks?

Mr. Robinson:

Well, I had anticipated that there would be some response from the Administration prior to these names being moved forward. Inasmuch as all of the people who were at least public sector people who were being appointed, it appeared that none of them were going to voluntarily withdraw their names, and I have not received any information that the Administration would withdraw their names. I can only assume that the Administration has contacted the appropriate people on this Council and asked that all these people be supported.

Michelle Madoff:

May I respond, Mr. President? It would appear to me that if what you say is true, and I don't believe anybody's been contacted, I know I have not been, I don't know that the President of Council has been, then it would appear the Mayor is planning to proceed and that you don't have the Administation willing to support your position. Then I think it's in order if we put it to a vote with this Council. Do we wish to have a body that has some kind of vested interest or to vote those names down and replace them with other very qualified either minorities or women or people suitable to serve on that committee and names come from this body.

Mr. Robinson:

Mr. President, perhaps a way to

resolve this issue might be for Council to give to me at least one more week. I think that will give an opportunity to both the Administration and perhaps myself to find some way to work cooperatively on what is obviously a very important issue for Council and for the Mayor.

I believe in one week's time some arrangement can be made on some acceptable names to serve on this committee in such a fashion that no one has to be compromised, no one's credibility has to be questioned and also, we can put in place a committee that will do what it was originally intended to do and that we'll have the full support of the Administration and this Council.

I think it is extremely important for us to handle this delicate issue in such a fashion that we can put the committee in place and not create any additional questions about those who are serving or what their purpose is. I recognize that there are many issues that the Administration is working on from day to day. I recognize that there are many political pressures, and I also recognize the many personalities involved.

This Council has been very kind and gracious to support me in my attempts to work with the Administration, and I am willing to indicate that next Monday if an agreement can be reached, I will support it. If an agreement cannot be reached, then I think we should go with the names that have been submitted.

Michelle Madoff:

Are you changing your motion?

Mr. O'Malley

In light of Mr. Robinson's statement that even if an agreement can't be reached that he'd be willing to go with the names that were submitted, I don't think it's an unreasonable request, at least, in my opinion, to give a member of Council the opportunity to bridge a gap or a misunderstanding between members of this Council and the Administration. Especially since the Minority Business Enterprise Commission I think was created, it has been brought along this far under Mr. Robinson's guidance especially on this Council. I know it's a commission that's very close and is very important to Mr. Robinson, and I think it's also very important to the minority and to the women's community because it's going to give them an opportunity to participate in the economic mainstream of the City's economy. I don't think asking for a week's extension is at all too much on the part of a member of Council.

Mr. Woods:

Mr. President, if I may, address Mr. Robinson. Bill, if I recall at the Committee meeting when you presented was what in your Committee Bill 1544, 1546, and 1547, that was surrounding this same issue, if I'm correct.

Mr. Robinson:

Right. Correct.

Mr. Woods:

So, if we hold these names for a week, would we then recommit these three bills to be discussed again on Wednesday along with your discussions that you need to take place in the next week? If you could fill me in a little bit, because I wasn't here Wednesday as you know.

Mr. Robinson:

Okay. Two responses to that. One,

the bills that you make reference to, 1544, 1546, and 1547 are reflective of the continuing process of attempting to work with the Administration to strengthen the Minority Business Enterprise Review Committee and to also give a clear understanding to the general public and people who have to work with that committee exactly how it's constituted and what it should do.

The second response is that I have no difficulty with having these bills continually discussed on one condition, and that is that the Mayor himself come to Council on Wednesday and discuss it. If the Mayor is willing to come and discuss these bills, then I have no problem with them going back to committee.

The reason I say that is I think that it's rather obvious to anyone who has been following the proceedings of this discussion around the Minority Business Enterprise Review Committee that there is not agreement, at least as far as the Mayor and I are concerned. We have been attempting with the aid of, as I mentioned before, Dave Matter to resolve these issues. To date we have not resolved them. For the program to work, it must have the Mayor's support. For it to work, it must have Council's support.

The Mayor has three options in reference to these bills if they pass: to sign them, not to sign them, to veto them. At least two of those options are unacceptable to me, and I would prefer that if we're going to publicly discuss these bills any further and discuss where this City is going and where our Minority Business and Womens Business Enterprise is, that the Mayor avail himself to publicly come forward and discuss this with Council, so that whatever agreement we could reach, we reach it in public in Council session and with full respect for one another. Perhaps that is the only way to do this, and perhaps it will satisfy members of Council who might not fully appreciate the difficulty that both Administration and myself have had in trying to agree on how this committee should be structured and how it should function.

Mr. Woods:

I wasn't asking you to recommit, Bill. I just wanted to know if this was part of the discussions that —

Mr. Robinson:

Yes.

The Chair:

Any other discussion? If I understand the maker of the motion, he's saying that next week he would have no objections to whatever is done on it. He's asking for one week; that's his situation.

Mr. Robinson:

That's in reference to the names that have been read.

The Chair:

Yes.

Mr. Robinson:

It's just the present names.

The Chair:

That's what I'm talking about.

Mr. Wagner:

Mr. President, I have one question. In reference to the names that have been read and suggested, does that

mean that these people must come back to Council?

The Chair:

No.

Mr. Robinson, so I can make a clearer status here, these names have been on the table for probably over a month now, and I think that the President can exercise some jurisdiction in occasionally shifting with the Councilmen, but I think that you can't do that perpetually. That was the reason that it comes here now. If Council wants to do it, fine, so we all understand one another.

Now, in view of this motion, I assume everybody's going to be for it anyhow; am I correct?

Michelle Madoff:

Discussion. Mr. Robinson, we have a little problem. I support you in both your motions, but you are now throwing in another kicker. You're saying you would like the Mayor to come before Council.

The Chair:

We're not talking about that one now. We're only talking about the appointees now.

Michelle Madoff:

Well, one is meaningless without the other. If you come back for the vote next week and you have not had the Mayor discuss the issue, then what is the purpose of the vote?

The Chair:

No, he's talking two different issues.

Michelle Madoff:

Well, I would like to show him that they're not to separate issues. They are one and the same issue.

The Chair:

Well, as the Chair, let me tell you that there's one before us, and that's the appointees; and Mr. Robinson has indicated that whether he joins or doesn't join, next week this Council can act up or down on those particular appointees, that's all.

Michelle Madoff:

Would it be in order, Mr. Stone, to have you as President of this Council invite the Mayor to be here at that vote so we would have some discussion prior to that?

The Chair:

The Mayor has nothing to do with these appointees.

Michelle Madoff:

The Mayor appointed them. What do you mean he has nothing to do them?

The Chair:

That's not what we're after. The only question is he wants the vote on these appointees up next Monday.

Michelle Madoff:

And I'm saying to Mr. Robinson that he should not hold it for one week unless he has a rider attached to that amendment that the Mayor will be here.

The Chair:

All right, you have said that, but on

this issue, all in favor signify by saying Aye?

Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 1656

Report of the Committee on Finance for October 24, 1984 transmitting sundry ordinances and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1544

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Article I, Administrative, Chapter 161.19(b) by adding provisions for membership on the Minority Business Enterprise Review Committee." **—(SPONSORED BY MR. ROBINSON)**

Which was read.

Also,

Bill No. 1546

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Article I, Administrative, Chapter 101.19 Development Proposal; Minority Participation Plan by adding to subsection 161.19(a) (2) and 161.19(a) (3) the words Professional Service Contracts in the appropriate place." **—(SPONSORED BY MR. ROBINSON)**

Which was read.

Also,

Bill No. 1547

An Ordinance entitled, "An Ordinance amending the Pittsburgh City Code, Article I - Administrative, Chapter 161.19(f) and 161.19(g) by adding conditions." (AS AMENDED IN COMMITTEE) **—(SPONSORED BY MR. ROBINSON)**

Which was read.

Mr. Grabowski:

Mr. President, did we recommit 1544, 1546, and 1547?

The Chair:

No.

Mr. Grabowski:

I'd like to make a motion to do so. These are the bills I believe that Councilman Woods was questioning at the beginning of the meeting, and last Wednesday when they were before us for our consideration, you may recall the meeting was a bit disrupted at that point and no discussion took place on these bills. I think that further discussion should take place, and I'd like to send it back to committee so that we would —

The Chair:

The Chair is not exactly sure. Mr. Robinson, do you have any objections to those being recommitted?

Mr. Robinson:

My position is the same, Mr. President. If these bills are recommitted, I respectfully request to have the Mayor present so we might discuss them. I think it's essential at

some point for the Mayor face to face with this Council to discuss this issue.

The Chair:

I have one problem with that, and that's Mr. Grabowski's asking the same, that he did not have enough time to discuss it the last time. As far as the rest of it, whether or not the Mayor comes or not is something you may want, but this motion doesn't entail that at this moment.

Any objections?

Mr. Robinson:

I would have to make an amendment to his motion that we formally request that the Mayor and only the Mayor be present to discuss the Administration's position on these bills.

The Chair:

All right, let me go back. I'm just trying to see if I can solve this one. Mr. Grabowski, your motion.

Mr. Grabowksi:

My motion is that we recommit. I'm not going to add on any amendment that the Mayor be there. I don't know that we could force him to come.

Mr. Wagner seconded the motion.

The Chair:

All right, that's 1544, 1546, and 1547. I have a motion and a second. Any discussion?

Mrs. Masloff:

That's only to recommit, Mr. President?

The Chair:

Just to recommit the bills.

Mr. Robinson:

Mr. President, I think it would be in everyone's best interests to have the Mayor present to discuss these bills if indeed members of Council feel at this point that they are unprepared to vote. Certainly they should be prepared to hear from all those parties that will be involved in potentially forcing the bills and also hear from all parties who may have support or objections to them. I think it's rather obvious that the Mayor has an involvement in this issue. I think it's rather obvious that the Administration would prefer to do it their way. We need to know what their way is. As I've said before I've had a number of discussions with people in the Administration I can only assume that they would like to continue those discussions under the same set of conditions that we originally established. It would appear that they would like to establish another set of conditions, and I'm saying if I am correct, then let us at least officially and formally request that the Mayor be present to discuss with us these bills.

The Chair:

Call the question. Take a vote.

Michelle Madoff:

I quess my vote doesn't count, but I was going to say that I'd be willing to recommit on the basis — well because you got enough votes to override me already — that we ought to not recommit unless the Mayor's here to discuss it with Mr. Robinson as a courtesy. I don't want to see this bill and all his efforts go down the tubes on the basis of the fact that we have not had

the Mayor — I'll record my vote as aye.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Wagner
Mr. Grabowski	Mr. Woods
Michelle Madoff	Mr. Stone
Mrs. Masloff	(Pres't)
Mr. O'Malley	

AYES 8 NOES 1

(MR. ROBINSON VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Mr. Robinson:

Mr. President, on the same bills I'd like to make a motion that the President of Council send a written request to the Mayor to be present next Wednesday to discuss with us Council Bills 1544, 1546, and 1547.

The Chair:

There being no second the motion failed.

Also,

Bill No. 1564

A Resolution entitled, "Resolution providing for the issuance a warrant in favor of NBI in the amount of $292.40 for services relative to the re-installation of NBI equipment for the Office of the City Clerk, without previous authority of law, chargeable to and payable from Code Account No. 1003, Miscellaneous Services, City Clerk's Office, Index Code 100305."

Which was read.

Also,

Bill No. 1565

A Resolution entitled, "Resolution providing for the issuance of a warrant to Carol Ann Rigby and Robert L. Garber, Esquire, 101 Smithfield Street, Pgh., PA 15222 in the amount of $4,000.00 in full settlement of a claim for property damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1566

A Resolution entitled, "Resolution transferring the sum of $5,000.00, between code accounts within the Department of City Controller."

Which was read.

Also,

Bill No. 1567

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Peat, Marwick, Mitchell & Company, for auditing services for the City of Pittsburgh for the year ending December 31, 1984, including the Municipal Pension Fund, the Policemen's Relief and Pension Fund and the Firemen's Relief and Pension Fund and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1568

A Resolution entitled, "Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 514, as amended, and providing for the forfeiture of hand money."

Which was read.

Also,

Bill No. 1569

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended."

Which was read.

Also,

Bill No. 1587

A Resolution entitled, "Resolution transferring $163,000.00 from Code Account No. 1932 Utilities (193201) to Code Account No. 1931 Municipal Obligations for Non-City Water Agencies (193102) $150,000.00, to Code Account No. 1935 Equipment (193508) $10,000.00 and to Code Account No. 1933 Supplies (193500) $3,000.00."

Which was read.

Michelle Madoff:

Mr. President, on Bill 1587 I had asked the City Clerk to set up a public hearing or a post agenda with reference to all the factions involved in the Water Department. Has that been done?

Mr. Perry:

I set it for this Wednesday, and you cancelled out on it.

Michelle Madoff:

Well, did you set another date?

Mr. Perry:

No.

Michelle Madoff:

Some of the people involved couldn't be there this Wednesday.

Mr. Perry:

I didn't set another date.

The Chair:

All right, re-set it.

Michelle Madoff:

Would you set it for the following Wednesday, please.

Also,

Bill No. 1580

A Resolution entitled, "Resolution transferring the amount of One Hundred Twenty-Five Thousand ($125,000.00) Dollars from Code Account 1608, Salaries & Wages, Regular Employees, Index Code 160804, Department of Public Works, Bureau of Operations to Code Account 1501, Premium Pay, Index Code 150102, Department of Public Works, Director's Office."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 1657

Report of the Committee on Public Works for October 24, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 876

A Resolution entitled, "Resolution vacating a 20 foot Unnamed Way (100 feet West of Mexico Street) from Falck Avenue, as vacated, to a point 128 feet northwesterly therefrom in the 27th Ward of the City of Pittsburgh."

Which was read.

Mr. Wagner:

My question is in reference to Bill No. 876. Has this Council or has the City Clerk received a letter — I believe it's Saint George Church — indicating a commitment to maintain the property that is vacant surrounding the church and adjacent to the property that we are vacating by this legislation?

Mr. Perry:

No, I haven't.

Mr. Wagner:

I was under the impression we requested that the day of the public hearing.

Mrs. Masloff:

I was too.

Mr. Wagner:

That was requested of those people and that was the major complaint of the surrounding property owners. If nothing has been received, I would suggest to the Chairman of Public Works that maybe we should recommit until we receive a letter of that type.

Mr. Givens:

I think it was brought out at that particular hearing also that the place was in much worse shape before the church had moved in. That particular property that the church had taken and the conditions prior to them coming in, that those conditions are much better.

It is true that the people from the church indicated that they would do something in regards to this particular area to clean it up. I haven't been out there to look at it. I think to hold the bill up, Jack — the question is do we want them to acquire the property or not. If they acquire the property, then I think it gives them the consolidation that they are looking for in order to own all that property.

The way it's divided up right now, the people up there, some know and some do not know who owns what property. I have no problem recommitting any bill that anyone feels there should be a good reason to recommit it, but I feel very strongly that the bill should be passed. Anything of that nature comes under an ordinance of the City of Pittsburgh; your grass can be only so tall, there's no dumping in the area. The citizens up there can pursue an avenue of cleanness in their area if the people are, in fact, in violation of any existing City ordinances.

Mr. Woods:

If I may, Dick, all Mr. Wagner is asking for is what Mr. Smith said he would do at the public hearing.

Mr. Givens:

Yes.

Mr. Woods:

I would submit a letter stating that the church will maintain this property prior to this legislation going through.

Mrs. Masloff:

Mr. President, it was my understanding that they would make this commitment before today.

Mr. Woods:

So do you want to recommit for one week to make sure he gets the letter out?

The Chair:

There's two ways to do it. You can recommit, or you can pass subject to them providing the letter.

Mr. Givens:

Let's recommit it, then. I'd like to make a motion that we recommit Bill No. 876.

Mr. Wagner seconded the motion.

Mr. Robinson:

Mr. President, before we take this action at this hearing, I think it was rather clear what the issues were, and I think it was rather clear as to what we should do relative to securing information. On numerous occasions this Council has requested information be provided to us by Monday. That information has not been provided.

There are a couple other bills here today where we requested information that information is not available. We requested information on where the City deposits its pension funds.

The Chair:

Wait, let's stay on one bill.

Mr. Robinson:

No, I'm making a connecting point, and the point is that we constantly ask for information under proper conditions and in a timely fashion, and when it comes time for us to take a final vote, that information's not available. Now, sending this bill or any other bill back to committee to get that information is no guarantee that we'll get it.

Now, we're talking about public information, public information that we understand would be provided to us in a public process. Why should we have to each Monday refer bills back to committee because haven't gotten the proper information either from the Administration's representatives or from others? If we go back to committee with the bill on Wednesday, we're not going to be any better off than we are today.

I have in front of me a letter, which I'm sure every member of Council received, with an attached petition asking us to vote no. For the very reasons that we're talking here, certain things have not been done. Certain things are not going to be done. I would suggest that we vote on this today and that we vote no and not send this bill back to committee and then find ourselves on Wednesday with no more resolution than we have today. I urge you not to recommit the bill, and I urge you to vote no on 876.

The Chair:

Mr. Robinson, you make a general point that I think we ought to clear up.

Mike, we're going to try to make a form on N.C.R. paper, which you can write —

Mr. Givens:

There's a motion on the floor right now.

The Chair:

Hold on one second. Mike, on that sheet we'll make it on the individual as to what we must submit. Hand him a copy and you have a copy, and we'll stop some of this that they say that you're sending mail late or something.

I have a motion to recommit.

Mr. Wagner:

Mr. President and members of Council, the issue before us is vacating a piece of property and turning it over to a church. The long-range intention of that church is to use surrounding properties for the development or the construction, I believe, of the Senior Citizens High Rise Building.

I think the acquisition of this property will enhance the potential of doing that. The problem that exists in conveying of various pieces of property around the church, they have not maintained that property and, therefore, it has been a nuisance to the property the weeds, the litter, etc., to the neighborhood. What the neighborhood has requested is that the church make a commitment to maintain that property. They did make a verbal commitment at the public hearing. We requested at the public hearing that they make a written

commitment to this Council and prior to them obtaining a piece of City property.

I think that's a very legitimate request, and I think until we receive that information in writing, I personally feel we should not act on the legislation.

The Chair:

All in favor of the recommittal signify by saying aye?

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Wagner
Mr. Grabowski	Mr. Woods
Michelle Madoff	Mr. Stone
Mrs. Masloff	(Pres't)
Mr. O'Malley	

AYES 8 NOES 1

(MR. ROBINSON VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Also,

Bill No. 1537

A Resolution entitled, "Resolution amending the 1984 Capital Budget to increasing authorization for the Central Business District Street Lighting Program."

Which was read.

Mr. Givens:

Mr. President, on Bill 1537 I'd like to put back into committee, that's regarding the Street Lighting Program Central Business District.

The Chair:

Recommit?

Mr. Givens:

Yes to recommit.

Mr. Grabowksi seconded the motion.

Michelle Madoff:

Discussion, why?

Mr. Givens:

Well, I think it's very obvious that we have some difficulties in this paticular area, and I intend to have a post agenda on the street lighting contract involving all the principal parties. I was going to do it later, Mr. President, but if I can, I'd like this post agenda to be this Wednesday because of the urgency of it.

I think all of us have received a copy from the Controller's Office. I have received a report from the Mayor that he's doing certain things, but in the meantime, it appears that somebody has not been doing their job; it's point-blank. As the Chairman of this Committee, I have to look into it, and I feel the only way I can properly look into it is in a public forum and with all major principals involved and —

The Chair:

Excuse me, let's pursue the

recommittal bill.

All in favor signify by saying Aye?

WHICH MOTION PREVAILED.

Mr. Givens:

Okay, I'd like to interrupt at this time and to have that post agenda so I don't have to repeat everything I just did right now. Mike, those prinpal parties to be involved will be that of the Department of Public Works, General Services who writes up the contract, Seargent Electric who performs the contract, Duquesne Light Company that has a function within the buildings of the City of Pittsburgh, the Controller's Office of the City of Pittsburgh, the Mayor's Office of the City of Pittsburgh, and I would invite all of the Council people here as well as the staff to be present at this post agenda this coming Wednesday. I want to know who is not going to come.

The Chair:

It might be better for next week in view of the shortness of time.

Mr. Givens:

Because of the shortness and the urgency of the bill that we're holding for downtown development, I'd like to get this thing cleared and heard as soon as possible.

Also,

Bill No. 1559

A Resolution entitled, "Resolution Repealing Resolution No. 861, effective August 31, 1981, entitled: 'Providing for a Contract or Contracts for the Asphalt Plant Dock Facility; and providing for the payment of the cost thereof.'"

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Robinson presented

Bill No. 1658

Report of the Committee on Planning, Housing and Development for October 24, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1550

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A(8) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the Montefiore Hospital Association of Pittsburgh, to construct a five (5) story Medical Office

Building above the existing parking garage to the north of the Lillian Kaufman Building; and, to construct a two (2) story parking deck for 249 automobiles above the hospital's main 'A" and 'B' level garages located on the southwest corner of TERRACE and DARRAGH STREETS, on property zoned 'I-C' Institutional-Civic and 'R4' Multiple-Family Residence Districts, 4th Ward."

Which was read.

Also,

Bill No. 1551

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01(a)A(14) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the University Health Center/Eye and Ear Hospital for authorization to construct a ten (10) story medical office building; to Eye and Ear Hospital and Presbyterian Hospital to construct a one story ambulatory surgical facility; and to Presbyterian Hospital to construct a ten (10) story administration building; and adjoining eight (8) story ancillary use facility building on the surface deck of the deck of the existing Presbyterian Hospital parking garage, on property zoning 'I-C' Institutional-Civic District located between DARRAGH and LOTHROP STREETS, and TERRACE and VICTORIA STREETS, 4th Ward."

Which was read.

Also,

Bill No. 1552

A Resolution entitled, "Resolution providing for an amendment to Resolution No. 427 effective June 10, 1983, entitled: 'Providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1983 Community Development Block Grant Program; and providing for the payment of the costs thereof,' to decrease the total allocation of funds by $100,000.00 from $13,643,000.00 to $13,543,000.00 and make adjustments to a line item."

Which was read.

Also,

Bill No. 1553

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 10th and 21st Wards of the City of Pittsburgh owned by the City of Pittsburgh and designated as Block and Lots: 50-H-214, 50-H-215, and 22-P-319 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1554

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Lucius Hardwick and Laureen Hardwick and designated as Block and Lot 23-J-45 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property

Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1555

A Resolution entitled, "Resolution authorizing the Urban Redevelopment of Authority of Pittsburgh to acquire that property in the 11th Ward of the City of Pittsburgh owned by Anthony Piccolino and Rose V. Piccololino and designated as Block and Lot 82-L-135 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1556

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 10th Ward of the City of Pittsburgh owned by Vincent M. O'Toole and designated as Block and Lot 50-M-13 in the Deed Registry Office of Allegheny County under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1557

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 10th Ward of the City of Pittsburgh owned by Janice C. Akins and designated as Block and Lot 50-L-32 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1558

A Resolution entitled, "Resolution authorizing the Urban Redevelopment of Pittsburgh to acquire that property in the 10th Ward of the City of Pittsburgh owned by Evelyn Jones and designated as Block and Lot 50-M-18C in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone

Mr. O'Malley (Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 1659

Report of the Committee on General Services for October 24, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1541

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts; or for the use of existing Contracts for the purchase and delivery of Hurst Tool equipment for the Department of Emergency Medical Services and for payment thereof."

Which was read.

Also,

Bill No. 1542

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the purchase and delivery of Dictaphone Audio Recording System for the Department of Emergency Medical Services and for payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff presented

Bill No. 1660

Report of the Committee on Water for October 24, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1560

A Resolution entitled, "Resolution Repealing Resolution No. 1071 of 1983, entitled: 'Providing for a Contract or Contracts for a 12" X 6" Water Line Relay in Friendship Avenue, between Baum Boulevard and Penn Avenue; and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 1561

A Resolution entitled, "Resolution Repealing Resolution No. 755 of 1983, entitled: 'Providing for a Contract or Contracts for Filtration Plant Wall and Arch Repair Work; and providing for the payment of the cost thereof.'"

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

Bill No. 1661

Report of the Committee on Parks and Recreation for October 24, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1496

A Resolution entitled, "Resolution providing for an easement and Right-of-way, under, across, and over property of City of Pittsburgh to Western Pennsylvania Water Company, for property fronting on Crane Avenue, containing 9.41 acres, located in the 20th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
	(Pres't)

AYES 8 NOES 1

(MR. GRABOWSKI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 1662

Report of the Committee on Engineering and Construction for October 24, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1562

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Schneider Engineering, Incorporated (Edward Schneider, President), for Engineering Services in connection with an Asbestos Abatement Study of the Public Safety Building; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1563

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Duquesne Light Company for underground electrical service and temporary relocation of overhead facilities in connection with the Reconstruction of Warrington Avenue from Haberman Street to Arlington Avenue; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1608

A Resolution entitled, "Resolution further amending Resolution No. 802, effective July 27, 1978, as amended by Resolution No. 631, effective August 2, 1984, entitled: 'Providing for an Agreement or Agreements for Professional Services in connection with the South Side Riverfront Park; and providing for the payment of the cost thereof,' by increasing the total allocation by Two Thousand Four Hundred Fifty ($2,450.00) Dollars."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Grabowski presents

Bill No. 1663 WHEREAS, on November 9, 1984, the Polish Falcons of America, Nest 176 - Lawrenceville, is marking another milestone in its history by celebrating its 75th Diamond Anniversary, known as their "EXTRA SPECIAL ANNIVERSARY"; and

WHEREAS, the Polish Falcons of America is a National Fraternal Benefit and Physical Fitness Organization, organized in 1887, whose main purpose is to regenerate the Polish nationality in body and in spirit, and to promote, develop, maintain social and educational activities, and physical fitness; and

WHEREAS, Nest 176 was organized in the Strip District of Lawrenceville in

1909, and is a viable institution in the community, which sponsors grants and scholarships for continuing education, and supports social and cultural activities and many other endeavors; and

WHEREAS, Nest 176 of the Polish Falcons continues to evoke a deep sense of history and ethnic heritage for the Polish communities and for the entire City of Pittsburgh.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City Council hereby acknowledge the great contribution of the Polish Falcons of America, Nest 176, to the City and its citizens; congratulate them on their 75th "EXTRA SPECIAL ANNIVERSARY", and thank them for preserving and perpetuating the high ideals, customs, and culture of the Polish people throughout the City of Pittsburgh.

Mr. Grabowski moved to adopt the resolution.

Mr. Givens seconded the motion.

Which motion prevailed.

Mr. O'Malley:

At this time I'd like to have Elmer McClung who is the Executive Director of the Kingsley House to step up, Augustus Spruill who is a Crime Prevention Officer and also a good friend, and Greg Teslevich from West Penn AAA.

Mr. O'Malley presents

Bill No. 1664 WHEREAS, Kingsley House has been in existence since 1983; and

WHEREAS, Kingsley House has provided a variety of social, economic, and educational activities for Pittsburgh residents; and

WHEREAS, Kingsley House for the past seven years has established clearing centers for suspicious treats on Halloween; and

WHEREAS, Kingsley House in cooperation with the City and County Police Departments, West Penn AAA, the Clark Candy Company, and McDonalds have established these clearing centers to protect children; and

WHEREAS, Augustus Spruill of the Pittsburgh Crime Prevention Division, Greg Teslevich of West Penn AAA, and Elmer McClung of Kingsley House have given freely and unselfishly of their time and energy to assure the programs success.

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the efforts of these people and their respective organizations, and hereby urges the parents of children of trick-or-treat age in the City of Pittsburgh to utilize this service which has been provided.

Mr. O'Malley moved to adopt the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. O'Malley:

At this time I'd like to have Elmer McClung who has been a good friend for a number of years come and say a few words about Halloween and what people can do to safeguard their children.

Mr. McClung:

I would like to take this opportunity to thank the Members of Council for this Resolution. Seven years ago we had an idea the idea was just primarily to make parents aware of the havocs of Halloween. This is the first time in our seven years that we have seen the message being delivered to the magnitude and the enthusiasm of the residents of the City of Pittsburgh; and I'd just to say to everybody in the City of Pittsburgh, thank you very much for the opportunity to serve you.

Mr. Robinson:

I'd like to have Mr. Michael Flornoy come forward please. Mr. President and Members of Council, as you are aware we have many outstanding artists and expressionists in our City, and I'd like to offer Resolution 948 on behalf of one of those artist who I think deserves such an honor as this.

Mr. Robinson presents

Bill No. 1665 WHEREAS, the City of Pittsburgh has been honored by the many artists and sculptors who have graced the City with their creative expressions; and

WHEREAS, one of our most outstanding artists and sculptors is Carl "Dingbat" Smith whose works have been exhibited in Fairbanks Alaska, Forte de France Martinique, Chicago Illinois and other American cities; and

WHEREAS, Carl "Dingbat" Smith was honored in 1981 by the Pennsylvania Council on the Arts with its "Expressions of Excellence" Award; and

WHEREAS, the Kingsley Association, Selma Burke Gallery is presenting an exhibition of Carl Smith's works, October 20, 1984 to November 6, 1984.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council on behalf of the citizens of Pittsburgh does recognize the life, works, and artistic expressions of one of her "Native Sons" Carl "Dingbat" Smith, and extends heartfelt congratulations to him on his present exhibit, "The Expressions of Carl 'Dingbat' Smith", and wish him well in future endeavors.

Mr. Robinson moved to adopt the resolution.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. Robinson:

Mr. Michael Flornoy is here to except this presentation on behalf of Mr. Smith who is ill, and also to tell you about a tribute to Mr. Smith which I think is an outstanding example of this City's appreciation to an artist whose work you really should see.

Mr. Flornoy:

On behalf of Dingbat's friends and family I'd like to accept this Resolution from Council and thank you for considering one of Pittsburgh's sons whom the world has held as a great artist.

Dingbat was a personal friend of mine. It was unfortunate I was unable to inform you prior to the meeting that Dingbat terminated life on Friday. He had been terminally ill with cancer for the last year and friends and family were planning a tribute to him on Thursday evening at the Crawford Grill. The tribute will still go on and the proceed fund will go toward Dingbat's family to

use as they see fit.

Personally, Dingbat was the only living genius that I have ever known. His art had been recognized around the world and very few people in the Pittsburgh area are familiar with Dinbat but probably have seen some of his art.

He was a non-traditional sculptor. Once again on behalf of friends and family I'd like to thank you for the Resolution.

Mr. Wagner presents

Bill No. 1666 WHEREAS, the Knights of Equity, Court Nine, celebrates the Grand Opening of their newly renovated Club Rooms on October 26, 1984; and

WHEREAS, the members of the Knights of Equity constitute a vast and energetic society whose purpose is to maintain a spirit of fraternalism among the Irish and to denounce discrimination in all its hateful forms; and

WHEREAS, the newly renovated Club Rooms, built by the membership, is used by both the Knights of Equity and the Daughters of Erin, and serves as a meeting hall for cultural and social events; and

WHEREAS, there exists among the membership the belief that the images of Shamrocks found in the building's sidewalk were placed there by leprechauns during the night; and

WHEREAS, the Knights of Equity, Court Nine, is a viable institution in Pittsburgh's North Side which supports the neighborhood in educational, charitable, religious, social and patriotic activites.

NOW THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City Council, hereby recognize and congratulate the Knights of Equity, Court Nine, on the Grand Opening of their newly renovated Club Rooms; and express gratitude for their many contributions to the North Side community and for perpetuating and promoting the cultural history of Pittsburgh's ethnic population.

Co-Sponsored by Councilmen Richard Givens, Jim O'Malley, & Ben Woods.

Mr. Wagner moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Wagner:

Mr. President and Members of Council, I'd just like to comment. That was presented this past Friday at the new club headquarters. The Knights of Equity was very appreciative of it, and there are shamrocks in the sidewalk, and when you're on the North Side, you'll have to walk by and notice it.

The Chair:

I'm sure the leprechauns will be equally happy.

Mr. Wagner:

Yes.

Michelle Madoff:

Mr. President and members of Council, my office was contacted by Aggie Brose of the Bloomfield-Garfield area and asked our office whether we would please introduce a floor motion asking for clarification of conflicts of

interests concerning all members of Council.

In checking with the Law Department we found that it is a violation of some code — I guess it's confidentiality — of the Bar Association, for an attorney to list his clients. I presume that the reason the Bloomfield-Garfield area was interested in this conflict of interests disclosure is that they feel the disclosure we give every year to the state, the Election Board and so on, is rather incomplete.

Further, I must state for the record so that there is no confusion that I have publicly stated before this Council for some time, that as a small side business, I was interested in going into some consulting.

I wish to inform this Council that I have sent a copy of the proposed contract to me to the U.S. Attorney's Office, the Election Board, private legal counsel, which I did some time ago. I spoke to the Mayor's Office about a month ago, the City's Legal Department, and to the Mayor himself.

Now, what they're concerned about is that Mr. Stone is an attorney who has clients who might at some point be doing business with the City, that Mr. Givens is in the real estate business, who might be doing some business with the City.

Councilman O'Malley at one point started a business, when he realized it was in conflict, dropped that endeavor. Mr. Woods, I understand, does some work in sheet metal work, as he's told me, to subsidize his income, and that there may be some conflicts of interests.

So I took the liberty of contacting the Law Department, and may I read what they said. That initially Section 1-b of the Home Rule Charter, I presume the contract provides that you shall not be involved in it, you meaning members of Council, in any way will receive compensation with contracts with the City of Pittsburgh, but goes on to say, Section 308 of the Home Rule Charter provides — and the reason, I presume, they have this written in the Home Rule Charter, according to Mr. Pellegrini, is that they felt that there was no way humanly possible that any member of this Council would not in some way be involved with someone doing business with the City, whether it's a tax, or an assessment, or doing some private work.

So the Home Rule Charter provides, under Section 308, members shall not (b) have a personal or private interest in any legislation proposed or pending before Council unless they, one, disclose the fact to Council and, two, refrain from voting or participating in the discussion of the matter.

On an issue that came before this Council that I had been discussing on a company I abstained. I know that Mr. DePasquale in the years he was here, any member of his family or associations that did any contracting work with the City, he abstained. I think this gets back to the heart of the matter.

I'll ask you once more, Mr. Stone, please step down until this matter is resolved, because all of us are going to be watched under microscopes. Everybody's going to say if we sneeze or talk to anybody that does business with the City, that we're all in collusion.

I think this matter needs to be cleared up. The indictment is very damning. I'm sure you've seen it yourself. You're listed as a partner. I would ask that you please step down.

The Chair:

I spoke on it. I will need not speak again on it.

Now, I'll entertain a motion to approve the minutes.

Mr. Woods moved to approve the Minutes of Monday, October 8, 1984 and Monday, October 15, 1984.

Mr. Wagner seconded the motion.

Which motion prevailed.

Michelle Mądoff:

May I ask before we end the discussion, before we end the disucussion, is there any member of this Council with enough guts to support this? Would anybody second my motion?

And on the motion of **Mr. Grabowski**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, November 5, 1984 No. 43

Municipal Record

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, November 5, 1984

PRESENT:

Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

ABSENT:

Mr. Grabowski

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Givens presented

No. 1667 Resolution providing for an Agreement or Agreements between the City of Pittsburgh and the County of Allegheny whereby the City of Pittsburgh agrees to to assume ownership and maintenance of the lighting improvements under its jurisdiction on the Windgap Avenue Bridge.

Also,

No. 1668 Communication from James N. Walker, Director, Dept. of Environmental Services, requesting authorization for Phyllis Gibson to attend the Executive Committee Meeting of the Pennsylvania Vector Control Association in Harrisburg, PA, on November 8-9, 1984, at a cost not to exceed $450.00, payable from the Rodent Control Program (RCP) Account. Prior approval granted by Council, October 16, 1984.

Which were read and referred to the Committee on Public Works.

Mrs. Masloff presented

No. 1669 Resolution authorizing the issuance of a warrant in favor of Kenneth R.W. Robertson, in the amount of $200.00 in payment for the purchase of rare birds for display at the Pittsburgh Aviary in the Dept. of Parks and Recreation, chargeable to and payable from the Aviary Trust Fund (250209), Dept. of Parks and Recreation.

Also,

No. 1670 Resolution authorizing the issuance of a warrant in favor of Sunbird International, in the amount of $2,450.00 in payment for the purchase of rare birds for display at the Pittsburgh Aviary in the Dept. of Parks and Recreation, chargeable to and payable from the Aviary Trust Fund (250209), Dept. of Parks and Recreation.

Also,

No. 1671 Resolution authorizing the transfer of $10,000.00 from Code Account 1800 (180000), Salaries, Regular Employees, Bureau of Administration, to Code Account 1825 (182501) Wages, Regular and Temporary Employees, Bureau of Maintenance, all in the Department of Parks and Recreation. These funds will be used to pay part-time employees at the Ice Skating Rinks and School Pool Program for the remainder of the year.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1672 Resolution providing for an Agreement or Agreements with an Independent Contractor to provide Professional Services in connection with the Department of Parks and Recreation's Recreational Programs for the residents of the City of Pittsburgh, at a cost not to exceed $1,920.00, chargeable to and payable from Code Account 1837 (183707) City Wide Events, Dept. of Parks and Recreation.

Also,

No. 1673 Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting authorization for Leonard Duncan, Anthony DeMaria and Pauline Herron to attend the Hot Shot Basketball Finals in Cleveland, Ohio, on November 16-17, 1984, at no cost to the City of Pittsburgh.

Also,

No. 1674 Communication from Louise R. Brown, Director, Dept. of Parks and Recreation, requesting authorization for Bernard J. Caplan and Craig B. Merritt, to attend a Race Director's Meeting and Trade Exhibit in Washington, D.C., November 9-11, 1984, at a cost not to exceed $400.00, payable from Special Parks Program Trust Fund. Prior approval granted by Council, October 23, 1984.

Which were severally read and referred to the Committee on Parks and Recreation.

Also,

No. 1675 Resolution providing for the letting of a Contract or Contracts or the use of existing Contracts for the furnishing and deliver of four (4) V-Notch Chlorinators for the Dept. of Parks and Recreation, at a cost not to exceed $8,460.00, chargeable to and payable from the 1983 Pool Pump and Equipment Program (PR 83-04), Project No. 4-10-03-1354-83, Index Code No. 320853, Dept. of Parks and Recreation.

Which was read and referred to the Committee on General Services.

Mr. Robinson presented

No. 1676 Resolution amending Res. No. 413, eff. May 7, 1982, entitled: "Providing for an Agreement or Agreements with the Beltzhoover Neighborhood Council and the URA for the rehab of the Beltzhoover Neighborhood Council Office at 407 Gearing Avenue, Pittsburgh," so as to increase the authorized amount from

$120,000.00 to $125,400.00.

Also,

No. 1677 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 10th Ward of the City of Pittsburgh owned by Chester Frank Kepka and Alma Ann Kepka and designated as Block and Lot 50-L-25C (5311 Browns Way) in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 1678 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by John Thornton, Reputed Decedant, and Sophie Thornton, his wife, and designated as Block and Lot 23-A-157 (10 Geranium Street) in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 1679 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by George John Alexiades and Mike John Alexiades and designated as Block and Lot 23-G-157 (1438 Sandusky) in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 1680 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 4th Ward of the City of Pittsburgh owned by Emil Niccoli and designated as Block and Lot 29-D-24 (3601 Swinburne Street) in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 1681 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 11th Ward of the City of Pittsburgh owned by Loretta F. Pennington and designated as Block and Lot 50-M-181 (5408 Rosetta Street) in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh.

Also,

No. 1682 Communication from William Russell Robinson, Councilmember, requesting authorization for Christopher A. Smith to attend the conference on "Managerial Techniques for Administrative Assistants," to be held at the Pittsburgh Hyatt, Pittsburgh, PA, on December 7, 1984, at a cost not to exceed $165.00, payable from Code Account 1001-1, Index Code No. 100115.

Also,

No. 1683 Communication from Robert H. Lurcott, Director, Dept. of City Planning, requesting authorization for Jane Downing to attend the AICP Training Workshop on Creative Financing for Capital Facilities in Atlanta, Georgia, on December 6-7, 1984, at a cost not to exceed $850.00, payable from the 1984 Community Development Block Grant Program, Department of City Planning, Administration Account.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 1684 Resolution amending Res. No. 294, eff. April 24, 1984, entitled: "Providing for an Agreement or Agreements with Robert W. Hunt Company, (Daniel V. Biank, P.E., General Manager) for Professional Engineering Services in connection with the Steel Inspection for the Bloomfield Bridge, Phase III; and providing for the payment of the cost thereof," by providing for a Supplemental Agreement or Agreements and increasing the project allocation from $130,000.00 to $235,000.00, chargeable to and payable from the Bloomfield Bridge Trust Fund, Index Code No. 250225.

Also,

No. 1685 Resolution amending Res. No. 1110, eff. December 20, 1983, entitled: "Providing for a Contract or Contracts, including the use of existing Contracts, for construction in connection with renovations to No. 5 Police Station; and providing for the payment of the cost thereof," by increasing the project from $65,000.00 to $115,000.00.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Woods seconded the motion.

Which motion prevailed.

Also,

No. 1686 Communication from Paul J. McDermott, Director, Engineering and Construction, requesting authorization for Todd Meyer to attend the 60th Annual American Association of Zoological Parks and Aquarium Conference in Miami, Florida, September 9-13, 1984, at a cost not to exceed $1,000.00, payable from Code Account No. 1482, Misc. Services, in the Dept. of Engineering and Construction. Prior approval granted by Council, August 31, 1984.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Woods presented

No. 1687 Resolution transferring $225,000.00 from Code Account 41, Index Code 004101, Refunds Real Estate Tax, Department of Finance, to Code Account 30, Index Code 003004, Refunds All Other Taxes. This resolution is necessary so that enough funds are available to process taxpayers' refunds for the balance of the year.

Which was read and referred to the Committee on Finance.

Also,

No. 1688 Communication from Thomas E. Flaherty, City Controller,

submitting a performance audit of the Street Lighting Division, Department of Public Works.

Which was read and referred to the Committee on Public Works.

Mr. Woods moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 1689 Resolution transferring the sum of $5,000.00 from Code Account No. 1048, Misc. Services, to Code Account No. 1049, Supplies - $2,500.00; and Code Account 1052, Inspection - $2,500.00.

Also,

No. 1690 Resolution Repealing Item G of Res. No. 229, appr. April 3, 1984, for the sale of a 2 Sty. Brk. Hse. & Gar. at 7721 Hamilton Avenue, 13th Ward, Block and Lot 174-R-276 to Carolyn V. Callahan, for the sum of $25,000.00. Resolution is to repeal sale and return the hand money. Former owner is redeeming.

Also,

No. 1691 Resolution Repealing Resolutions, approved on various dates, for the sale of properties in various wards of the City of Pittsburgh in accordance with Act No. 514, and providing for the forfeiture of hand money.

Also,

No. 1692 Resolution amending Item D of Res. No. 652, approved August 2, 1984, authorizing the sale of property in the 3rd Ward, being vacant land on Colwell Street, designated as Block 11-E-28 and 11-F-31, to Anthony F. Williams and Milton A. Arenson, for the sum of $1,000.00. The purpose of this amendment is to correct the Block number from 11-E-28 to 11-F-28, and change the Plan lot number from the whole lot to read, a part of lot number 15.

Also,

No. 1693 Resolution amending Item J of Res. No. 674, approved August 13, 1984, for the sale of vacant land in the 21st Ward, located at Colfax Street, designated as Block and Lot 22-B-27 to Vickie Lynn Powers for the sum of $400.00. Amendment is to add the Treasurer's Sale Number, which is 831.

Also,

No. 1694 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at a tax sale in accordance with Act No. 514 of 1947 as amended.

Also,

No. 1695 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service Commission, requesting authorization for David Farley to attend the regular meeting of the Pennsylvania Service Delivery Area Association in Harrisburg, PA, on November 15, 1984, at a cost not to exceed $350.00, payable from JTPA-1 - Job Training Partnership Act Trust Fund, Federal Funds.

Also,

No. 1696 Communication from Al

Benedict, Auditor General, submitting a audit report of the Liquid Fuels Tax Fund, administered by the City of Pittsburgh, Allegheny County for the period January 1, 1983 to December 31, 1983.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1697 Resolution providing for a License to Duquesne Light Company for the installation, use, operation, repair, renewal and removal of one (1) anchor, guys and other necessary appurtenances thereto belonging, upon, over, under, along and across certain property in the 26th Ward, fronting on Maridale Street, designated as Block 115-C, Lot 341, in connection with electrical service to the area.

Also,

No. 1698 Resolution providing for a License to Duquesne Light Company for the installation, use, operation, repair, renewal and removal of one (1) pole with cables, wires and other necessary appurtenances thereto belonging, upon, over, under, along across and through certain property of the City of Pittsburgh fronting on North Lang Avenue, 13th Ward, designated as Block 125-S, Lot 150, in connection with electrical service to Homewood Park.

Which were read and referred to the Committee on Public Works.

The Chair presented

No. 1699 Petition from the residents of the City of Pittsburgh, requesting a public hearing opposing the naming of a nuclear attack submarine, "The USS Pittsburgh".

Which was read and referred to the Committee on Finance.

UNFINISHED BUSINESS

The Chair presents

No. 1181 Resolution approving the reappointment of Mr. Kellon McClendon of 5624 Fifth Avenue, Pittsburgh, PA 15232, to the Minority Business Enterprise Review Committee for a term to expire April, 1986.

Which was read.

Also,

No. 1183 Resolution approving the reappointment of Mr. Reginald Young of 925 Wellesley Road, Pittsburgh, PA 15206, to the Minority Business Enterprise Review Committee for a term to expire April, 1986.

Which was read.

Also,

No. 1185 Resolution approving the reappointment of Ms. Elizabeth Pickett of 519 Heldman Street, Pittsburgh, PA 15219, to the Minority Business Enterprise Review Committee for a term to expire April, 1986.

Which was read.

Also,

No. 1187 Resolution approving the reappointment of Mr. John Gabriel of 149 Hornaday Road, Pittsburgh, PA 15210, to the Minority Business Enterprise Review Committee for a term to expire April, 1986.

Which was read.

Mr. Woods moved to approve the reappointments.

Michelle Madoff seconded the motion.

Which motionn prevailed.

Also,

No. 1203 Resolution approving the appointment of Ms. Margaret Ringel Baker of 137 Grandview Avenue, Pittsburgh, PA 15211, to the Minority Business Enterprise Review Committee for a term to expire April, 1986.

Which was read.

Also,

No. 1534 Resolution approving the appointment of Regis Darrow Bobonis of 5246 Forbes Avenue, Pittsburgh, PA 15217, to the Minority Business Enterprise Review Committee for a term to expire April, 1986.

Which was read.

Mr. Woods moved to approve the appointments.

Michelle Madoff seconded the motion.

Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 1700

Report of the Committee on Finance for October 31, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1586

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Fruehauf Corporation in the amount of $1,567.22 for the emergency repair of City's gas tanker without previous authority of law."

Which was read.

Also,

Bill No. 1590

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Yellow Freight System, Incorporated in the amount of $369.77 in payment for delivery service of cement sculptures in the Department of Parks and Recreation, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1591

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of American Association of Zoological Parks and Aquariums, in the amount of $888.46 in payment for Accreditation Visiting Committee expenses in the Department of Parks and Recreation, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Which was read.

Also,

Bill No. 1592

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Chujko Bros. Inc., in the amount of $8,498.40 in payment of the rental of tables and chairs for the Summer Food Service Program, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1610

A Resolution entitled, "Resolution providing for the issuance of a $1,300.00 warrant in favor of Martin & Jacqueline Rubin and Phillip & Sara Goodman."

Which was read.

Also,

Bill No. 1611

A Resolution entitled, "Resolution providing for the issuance of a $1,867.66 warrant in favor of Harvey Klobuchir in settlement of claim for automobile damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1612

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the University of Pittsburgh for professional services for the preparation of the Annual Defense Spending Report for the City of Pittsburgh."

Which was read.

Mr. Givens:

I vote no on this bill and I'd like my remarks from the Wednesday session to be brought forward for the Municipal Record. I feel the $6,000 that we're using for study is a waste of taxpayers' money. There's a governmental periodical that they put out that can give us the same information thus saving the taxpayers some $6,000.

(BEGINNING - MR. GIVENS' REMARKS ON BILL NO. 1612 - WEDNESDAY, 10/31/84)

Mr. Givens:

Discussion. I think it's damn ridiculous to spend $6,000.00 to go out and get a study to tell us what in the heck our — and that study is not going to

tell us anything more than what the Mayor's original study had showed us and that's in regards to the defense spending. You're never going to find from the City of Pittsburgh, defense spending, believe me because I have been in the business, okay for 20 some years. You'll never find the City of Pittsburgh giving an accurate readout of defense spending and I think to try and get this information to compare defense spending on how many jobs you are going to get out and vice-versa, is this the tiger chasing his tail around the tree. You're never going to catch it; you're never going to catch it and I will never spend $6,000.00 of taxpayers' good dollars to find out this report.

There's a nice little pamphlet that the federal government can put out and I think you can probably pick it up for 25 cents if you want to know where various expenditures or various contracts are being done within the thing. I would suggest Mr. Finance Chairman, that you hold this bloody thing and see if we can get that one document and it might suffice for all of those people that want to know what federal contracts do we have in defense spending within the City of Pittsburgh confines. You can't limit it; it's unrealistic is what I'm trying to say. I know what the people are after but it's an unrealistic request and even the University of Pittsburgh is not going to be able to find this answer.

(END - MR. GIVENS' REMARKS ON BILL NO. 1612 - WEDNESDAY, 10/31/84)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES 1

(MR. GIVENS VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1613

A Resolution entitled, "Resolution Repealing Resolution No. 16, approved January 26, 1984, effective January 31, 1984, entitled: 'Providing for an Agreement or Agreements with Equibank, a commercial banking institution, for professional services in connection with the collection of Earned Income Tax Forms and direct deposit of Earned Income, Mercantile, Business Privilege, and Institution & Service Privilege tax payments; providing for the payment of the cost thereof; and providing for the bonding and confidentiality of the banking institution.'"

Which was read.

Also,

Bill No. 1614

A Resolution entitled, "Resolution providing for a license to Warner Cable Corporation of Pittsburgh ('Warner'), its successors and assigns for access on, over and across City property abutting

Crane Avenue, being a portion of Banksville Park, situate in the 20th Ward, for the sole purpose of ingress, egress and regress to and from Warner's property to Crane Avenue by an existing driveway on the City's said property."

Which was read.

Also,

Bill No. 1622

A Resolution entitled, "Resolution transferring the amount of Two Thousand Five Hundred ($2,500.00) Dollars from Code Account 1503, Supplies, Director's Office, Index Code 150300 to Code Account 1502, Miscellaneous Services, Director's Office, Index Code 150201 and the amount of Three Thousand ($3,000.00) Dollars from Code Account 1612-3, Brooms and Broom Accessories, Bureau of Operations, Index Code 161232 to Code Account 1611, Supplies, Bureau of Operations, Index Code 161109."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 1701

Report of the Committee on Public Works for October 31, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1581

A Resolution entitled, "Resolution granting unto YWCA, 305 Wood Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Row of Banners over on a portion of the sidewalk of 305 Wood Street in the 1st Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1582

A Resolution entitled, "Resolution granting unto Barton Motors Company, 2237 Saw Mill Run Boulevard, their successors and assigns, the privilege and license to construct, maintain, and use at their own cost and expense, three (3) sign post, and additional parking spaces on a portion of the right-of-way at 2237 Saw Mill Run Boulevard, in the 32nd Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1583

A Resolution entitled, "Resolution accepting the grading, paving, curbing and sewers, in Irwin Avenue, Chester Avenue, and Burgess Street as shown on the Clifton Park Project PA.R. 440 Sections 2 and 3 in the 27th Ward, City of Pittsburgh, by the Urban Redevelopment Authority for public highway purposes, fixing the widths and positions of the roadway and sidewalks and accepting the grading, paving, curbing and sewers thereof."

Which was read.

Also,

Bill No. 1584

A Resolution entitled, "Resolution taking, appropriating and condemning, by the City of Pittsburgh for public road improvement purposes, certain property of Michael J. and Emile Casiglio (23-J-180), situated along Pennsylvania Avenue in the 25th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 876

A Resolution entitled, "Resolution vacating a 20 foot Unnamed Way (100 feet West of Mexico Street) from Falck Avenue, as vacated, to a point 128 feet northwesterly therefrom in the 27th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1537

A Resolution entitled, "Resolution amending the 1984 Capital Budget to increase the authorization for the Central Business District Street Lighting Program."

Which was read.

Michelle Madoff:

On Bill 1537, is that Sergeant Electric?

The Chair:

It's dealing with the appropriation of money for that project.

Michelle Madoff:

Has it anything to do with Sergeant Electric?

The Chair:

I don't think this is specifically the Sergeant thing. I think it deals with Downtown rather than that specific program.

Michelle Madoff:

Will Sergeant be involved in any way in payment? I think that's a reasonable question; is it not?

Mr. Givens:

That's money that has been designated in the Capital Budget for the Central Business District Street Lighting Program.

Michelle Madoff:

I know; we all read it. But is Sergeant involved in this?

The Chair:

They're combining their monies to

go out on bid. Until they do the bid job it wouldn't be there. You don't know who it will be yet.

Michelle Madoff:

This is not Sergeant; is that right, Mr. Woods?

Mr. Woods:

That's right.

Michelle Madoff:

You're sure now?

Mr. Woods:

What I read it is that it's going out for bid.

Michelle Madoff:

Okay. I just wanted to know.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

Bill No. 1702

Report of the Committee on Planning, Housing and Development for October 31, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1515

A Resolution entitled, "Resolution providing for the implementation of a Residential Sticker Parking Program in the East Allegheny community pursuant to Pittsburgh Code, Chapter 549."

Which was read.

Mr. Woods:

Mr. President, in Wednesday's Committee Meeting we passed Bill 1515. At the request of Councilman Grabowski, I would like to ask that this bill be recommitted. I believe at the time, even though it passed, I believe it was 5-3, it was the consensus of Council that it would come here today and be recommitted so that we could have a public hearing on that and I am making a motion to that effect.

Michelle Madoff:

Hold on. Are you talking about 1515?

Mr. Woods:

Yes.

Michelle Madoff:

My understanding was, Mr. Woods,

and I think it was your point, that we either stick to the procedure or we don't stick to the procedure and my comment was that we could always amend the bill afterwards. These people presumably had time to come in and to be heard in an orderly fashion. I was sort of shot down. I was the one who said that these people are here and would like to have a public hearing. I think it was Mr. Robinson who made the point that it was procedure; we either go with the procedure or we do not go with the procedure. For you to come today after we voted for this bill and to say we're going to hold it today, what's the point of approving it the other day?

Mr. Woods:

I believe that it was Council's consensus there and it has been past practice that any time any member of Council would like to have a public hearing on something that would be their right to call a public hearing. I am acting on behalf of Councilman Grabowski who had asked for this public hearing as a Councilmember and that's why I'm asking that it be recommitted so that we could have this public hearing at his request.

The Chair:

Do I have a second?

Mr. Givens:

I second that motion, Mr. President, for this reason. On Wednesday Steve and I did vote to hold this bill for only one reason and I think that was the purpose that if anyone wants to have a public hearing we should not deny them that opportunity if they have the sufficient votes. I know this has been going back and forth for some time but I feel at this time if there's just a handful of people out there I want to hear from them before a final decision is made by this Council.

Mr. Woods:

I agree with Michelle and at the time I did agree with Councilman Robinson that they did not follow procedure. That's why I ruled it the way I did; that any member of Council could request, as he has. And that's where we're at.

Michelle Madoff:

May I make a comment, please? If a bill passes this Council and somebody, and this has happened many times in communities like Shadyside or the Bloomfield-Garfield area, there's a different dissident faction that is not part of the main body. And after something happens they say, "Well, why weren't we a part of it?" and for some reason they didn't feed into the system and they come back and ask for a hearing. We've never granted one before a vote. We have after a vote. Anybody can have a hearing even after we vote on anything.

They were submitting a petition to me. As a matter of fact, they said they submitted one and it was lost. According to Anna Hock, the thing was lost but they had submitted it.

I have no problem with giving them a hearing but what are we going to do; have a hearing on every hearing? I had a garage bill, Mr. Stone had a post agenda and turned it into a hearing. Are we going to have a hearing on every hearing?

Mr. Woods:

The only thing I'm doing is, at the request of a Councilmember, asking for a hearing. I think it's been past practice

that any member of Council who wants to have a hearing —

Michelle Madoff:

Fine but what's that got to do with voting on this bill?

The Chair:

I don't think we ought to belabor this thing. We'll try to get a fast hearing on it and get it over with. You have a sticker program which needs all the efforts it possibly can to make it function properly and if there's some problems there we ought to try to help them iron it out so that it does get an opportunity —

Michelle Madoff:

Why didn't they say that on Wednesday? Why are we doing it now? Why didn't we have somebody trying to work it out between now and then?

The Chair:

We had a chance to sleep on it.

Mr. Robinson:

Mr. President, on the motion to recommit, I think there has been some misunderstanding about the procedural issue as far as Council Bill 1515 is concerned. As Chairman of Planning, Housing and Development, I indicated that I thought we had a set of procedures and that we ought to follow those procedures, not just in reference to 1515 but in reference to all bills that come before us, particularly where we have community disagreement and where it's very important for us to remain neutral until we have all the facts. I think this Council has made a valid attempt to get all the facts to try to pull the parties together. I indicated on Wednesday that if any member of Council wanted to call a hearing, they certainly had that right and I would respect it and I had no problems with calling that hearing myself. I simply asked Council not to grant a hearing based on the petition that was obviously faulty and one that did not meet the requirements that the City Clerk was operating under.

I also asked Mr. Perry, our City Clerk, if he would be kind enough to get hold of the City Solicitor and to get some clarification as to what set of rules and regulations he should be utilizing to determine if petitions are valid and whether or not we should grant hearings. Hopefully, that will assist us in the future but I think we should separate the procedural issue from the substantive issue. I don't think we do ourselves any good to simply rush on and give citizens a chance to be heard in violation of the procedures. At all times I think we must respect ourselves and ask others to respect us and we should have rules and regulations that are equally applied to all, regardless of what our personal positions are, and I think that Councilman Woods is in order asking to have the bill to be recommitted and certainly Councilman Grabowski's request for a public hearing will be respected.

The Chair:

All those in favor of the motion to recommit? Opposed?

The bill is recommitted.

WHICH MOTION PREVAILED.

Michelle Madoff:

I think it should be a unanimous vote. It should have been on Wednesday but we were asked to go with procedure and I wasn't going against procedure.

Also,

Bill No. 1602

A Resolution entitled, "Resolution providing for the designation as a Structure of Historic and Landmark Significance under Section 3 of Ordinance 20, approved July 30, 1979, that certain structure known as the "Stanley Theatre", more particularly located at 201-213 7th Street, 700-722 Penn Avenue, 719-725 Liberty Avenue, Block and Lot No. 1-D-57; 2-A-4 and 5), 2nd Ward, City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stor e (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1604

A Resolution entitled, "Resolution authorizing a Third Amendatory Industrial Land Reserve Fund Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the reimbursement of the Authority for a portion of the cost of acquisition of the J & L Site, and providing for the payment of the cost thereof."

Which was read.

Michelle Madoff:

On Bill 1604, we're going to reimburse the Redevelopment Fund for J & L to the tune of $1 million and what we learned the other day, I believe it was $1 million state, $2 million federal, and $1 million City. I think it's a disgrace that J & L lived off this community, bled the community, and then runs when times are tough and puts people out of work, did not have the good grace to do what other communities and companies have done in other communities and that is to deed the property to the City as an act of good faith so that we could use the money, the million dollars, to actually train people and put them to work. I don't think a strong enough effort was made in that case, and I made this argument with Mr. Brophy who basically agrees with what I'm saying. Tyrone Pulp and Paper, when they moved out of the area and moved south, did just that and other companies have been known to do that around the company. Maybe it's time we called on the conscience of corporations which feel they only have responsibility to the stockholders. I'm a stockholder in a couple of things and I don't feel that there's only an obligation to the stockholders; I think you have an obligation to everybody. If you don't, what happens is that the stockholder eventually loses anyway. I'm going to vote no.

The Chair:

Is there any further discussion on

the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1637

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants to prepare a status report, slide show and brochure for the Historic Review Commission in connection with the Certified Local Government Program Project."

Which was read.

Also,

Bill No. 1638

A Resolution entitled, "Resolution amending Resolution No. 123, approved February 27, 1984, effective March 9, 1984 to specify the purchase of a vacuum frame printer and providing for payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff presented

Bill No. 1703

Report of the Committee on Water for October 31, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1588

A Resolution entitled, "Resolution providing for the publication of two research studies in the Applied and Environmental Microbiology Journal, compiled by Department of Water Employees, Dr. Stanley J. States and Dr. John M. Kuchta, along with other associates, relative to treatment of legionella pneumophila in public water

supply, at a cost not to exceed $800.00, chargeable to and payable from Code Account No. 1930, Miscellaneous Services (193003)."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. O'Malley presented

Bill No. 1704

Report of the Committee on Public Safety for October 31, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1595

A Resolution entitled, "Resolution amending Resolution No. 1160, approved December 23, 1983, effective December 31, 1983, entitled: 'Providing for an Agreement or Agreements with a psychologist or psychologists for professional psychological services for the Department of Police,' by increasing the total allocation by Four Thousand ($4,000.00) Dollars."

Which was read.

Mr. Givens:

I vote no on Bill 1595 and I'd like my remarks to be brought forward from Wednesday's meeting. I don't feel that increasing the psychological professional services in the Department of Police should be any more important than increasing that for maybe the Parks and Recreational people who work with our children in a daily fashion in our parks and other departments who come in daily contact with the public at large.

(BEGINNING - MR. GIVENS' REMARKS ON BILL NO. 1595 - WEDNESDAY, 10/31/84)

Robert J. Coll, Jr.
Superintendent
Department of Police:

Basically, we felt that we needed another $4,000.00 to be able to afford the services from now until the end of the year and the reason we're doing that because his workload has increased to such an extent that most of the officers have accepted.

All of the moneys that we've spent with the exception of maybe six hours or seven hours — four hours of administrative and maybe an additional ten hours of training have been spent and counseling services for police officers. We even managed to get several police officers who are off for a considerable length of time back on the police department and they were off because of

psychological problems and they were attending other psychologists' services and we geared them towards our psychologist and he was able to treat them successfully. It is something that we feel is very necessary and is catching on with the police department and has been accepted by the officers and that the proof of that is the number of clients that the psychologist is seeing.

Mr. Givens:

You said some police officers in the department like this particular program. What is the position of the Fraternal Order of Police on this particular issue being that there's nobody here to represent them?

Superintendent Coll:

I think the intent of this program was to have a minimal amount of money to see if it has been accepted by the officers and I think the Fraternal Order of Police, if they have the officers accepting it, we'll have to accept it. I think their original concerns were some valid concerns and I think the fact that we have used the psychologist for the year has eased their concerns.

Mr. Givens:

Is this a voluntary program on the part of the police officers?

Superintendent Coll:

We have both voluntarily — the majority of it is voluntary. I have ordered some officers there who have displayed some erratic conduct during police hours and one of the persons that we have managed to get back on the job was a person who displayed some kinds of erratic behavior while on the job and he has been treated successfully and is back on the job. We're talking about a person — I can't go into names but for instance, the guy gets out of his car and starts shooting his gun in the air. Now he's not going to go anywhere but I have to say to him that he cannot work until he goes and gets treatment and the doctor will say when he is capable of coming back on the force. Those types of people we have ordered. We have ordered people who have become involved in shootings down there for their own safety and the safety of the department and the citizens. A great majority of these cases are voluntary.

Mr. Givens:

Do you require any police officer that has been in the pursuit of his professional duties and the discharge of a weapon, go to a psychologist?

Superintendent Coll:

We have had officers who have seriously injured a person, go to the psychologist for his benefit so that we're sure that he is not suffering from any traumatic effects. Most officers willingly go down there because they do suffer a traumatic experience after legally and justifiably using their gun —

Mr. Givens:

There's no doubt about that.

Superintendent Coll:

— and we have not had to order those down there. We talk to the individual and we suggest that he go down there and most of them have accepted our suggestion and have made appointments.

Mr. Givens:

Do you have a chaplain?

Superintendent Coll:

There is a police chaplain but he is not as active as the police chaplain once was.

Mr. Givens:

Do you have a chaplain that's paid for the services?

Superintendent Coll:

No, we do not.

Mr. Givens:

Why not? If you're going to hire a psychologist, why don't you hire a chaplain?

MICHELLE MADOFF COMMENTS

Superintendent Coll:

We're talking about a different type of treatment. We're talking about a person who might have some traumatic psychological problem versus a family-type problem. Certainly a psychologist can handle those types of stresses but we're talking about a more deep-rooted problem than a chaplain. My understanding of a chaplain is that he should be consulting on a family matter.

Mr. Givens:

Another area of service, right. Has anyone lost any pay during this past year because of a psychologist advising you to keep this person off the job? Was he put on compensation or what happens?

Superintendent Coll:

That's not how a person would lose pay. A person would lose pay because I thought that their actions would cause concern for the department and they should not practice as a police officer until I have a clearance from either our doctor or some other doctor. Those types of people are not obligated to go to our psychologist. We just offer that service for them and the City would pay for it. If they disagree, they have the right to go to their own psychologist and he can only make recommendations to me and very vague recommendations because he is not permitted to give me any detail and I can either accept or reject those recommendations but he is not coming to me and saying that this person should or should not in a sense, by indentifying the person, I have identified the person in some cases and I have sent him to either our psychologist at our expense or told him that he had better have his own psychologist and there are people that have lost some pay and had to use a sick day because of that and there will probably be those types of people.

Mr. Givens:

I don't know, maybe I have hangups on psychologists and maybe it's rightfully so. It's not an exact science and this is the testimony that was brought out before us.

Superintendent Coll:

I don't think so. I think we're talking about —

Mr. Givens:

Unless you put them in a clinical environment.

Superintendent Coll:

We're only talking about actions that are apparent to anybody that are irrational or erratic actions. If you're talking about personality I agree with you.

Mr. Givens:

The thing that I disagree with and sometimes, the use of a psychologist to give you information that you need to make a judgment is one thing, but when that is the only source of information that you can make a judgment on, then I think something's wrong in our society.

I don't like the idea that our police officers are the only ones that need psychologists.

MICHELLE MADOFF COMMENTS

Mr. Givens:

That's why I have problems with it. I think if we're going to do psychological testing, then we should do it on everybody in the City. The police officers aren't the only ones that come in contact with the public. Almost all of our people who work for the City in one way or another be they in the Treasurer's Department or Controller's Office, Parks and Recreation and they are coming in daily contact with our people and with children. Should all of these people then receive some type of psychological analysis? This is my concern and if we don't zero in on the Police Department and the overture that is given that if you're a police officer we suspect you of being psychologically incompetent of performing your tasks.

Superintendent Coll:

We hope that this is positive that we are offering the service.

Mr. Givens:

I have to agree that the Police Department and the police officer has probably one of the toughest jobs to perform of any citizen that works in the City of Pittsburgh along with that of the risk of our firefighters, but at the same time I have to challenge almost the exclusive use of a psychologist and to use it in such a way that it's going to hurt this man's employment. I think by the way a person conducts himself on the job, the way he conducts himself on the job is good enough for you to make an evaluation. I think his partners that he's with and his supervisors, if they can't detect something wrong with this individual officer, then they are not doing their job as any supervisor in this city. If they are in a sensitive position, we have to say that a police officer in the field is in a very, very sensitive position. He should be given daily supervision. He has a partner, and to offer this free is one thing but for you to say that you must go to this psychologist is something that I don't agree with. If you're going to do it to the policemen then you have to do it to every employee in the City of Pittsburgh.

My vote on this is recorded as no as previously recorded on this legislation before. If we're to use psychologists for the Police Department, then I should say that we should use psychologists for other departments within the City of Pittsburgh. They should not be zeroed out. I think it's unfair to the employees of the Police Department that they be singled out and have to go through psychological analysis in the performance of their job. That's why we have supervisors and other people to let us know what's going on in the department and that should be the information. If it's voluntary, that doesn't bother me one bit, but I cannot go for this because of what happened in the psychological testing of police recruits when they just systematically cancelled out all veterans and especially any veteran that carried arms and especially any veteran who carried arms and were in combat. Now there's something wrong with the psychologist. I

can make up a test in any way that I want to screen out whoever I want to. In that particular case, they were screened out and until that's corrected and will be corrected because the legislation is still pending and I intend to bring it up, not only here but at the state legislative body and I think we have a problem especially with one psychological testing service in the City of Pittsburgh and anyone else that thinks that they have the almighty answer to people's minds.

(END - MR. GIVENS' REMARKS ON BILL NO. 1595 - WEDNESDAY, 10/31/84)

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES 1

(MR. GIVENS VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 1705

Report of the Committee on Engineering and Construction for October 31, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1609

A Resolution entitled, "Resolution further amending Resolution No. 1218, effective December 31, 1979, as amended by Resolution No. 78, effective February 22, 1980, as amended by Resolution No. 430, effective June 6, 1984, entitled: 'A Reslution providing for a Contract or Contracts for Engineering and Architectural Services for Grant Street and Liberty Avenue Design, Ft. Pitt to Liberty, 7th to 12th; providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation,' by amending the title and by increasing the total project allocation by Eighty Nine Thousand ($89,000.00) Dollars."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Robinson:

Mr. President, if I might for one second, if Councilmembers will remember on last Wednesday, Council Bill 876 was discussed relative to the vacation of a portion of property in I believe the South Hills area, Mexico Way. At that time, there was some concern whether or not Saint George's Church would be willing to meet those obligations that they stated that they would meet at our hearing on this matter. I had suggested —

The Chair:

May I interrupt you for a minute? I want to take these formal resolutions, these three, and keep a practice so that we don't —

Mr. Robinson:

I thought this would be under Unfinished Business.

The Chair:

I'll come back to that after these three motions because I have a few things myself.

Mr. Robinson:

Okay.

The Chair:

Let's deal with the formal resolutions now.

Mr. Robinson:

Mr. President and members of Council, I have a resolution I'd like to have considered relative to the naming of the nuclear submarine on behalf of the City of Pittsburgh.

Mr. Robinson presents

Bill No. 1706 WHEREAS, on April 3, 1978, the Council of the City of Pittsburgh passed Resolution No. 350 calling upon Congress to redress the imbalance between domestic expenditures and the Pentagon by supporting the transfer of funds from unwarranted military spending to human needs programs through the Congressional budget process; and

WHEREAS, on March 30, 1982, Council passed Resolution No. 340 urging President Reagan and Pittsburgh's Federal Legislators to initiate negotiations between the United States and the Soviet Union and other nuclear powers to mutually and immediately freeze development of additional nuclear weapons and to mutually and eventually dismantle all nuclear arsenals for the future of mankind; and

WHEREAS, Mayor Richard S. Caliguiri supported a resolution passed by the U.S. Conference of Mayors, June 17, 1981, calling for parity between domestic concerns and military concerns; and

WHEREAS, Mayor Caliguiri supported a resolution passed by the U.S. Conference of Mayors in 1982 calling for a verifiable freeze on all further deployment of nuclear weapons; and

WHEREAS, in November, 1982, over 42,000 voters in the City of Pittsburgh, by a 2 to 1 margin, favored an amendment to the Home Rule Charter

requiring the Mayor to make an annual report on the effects of military spending on the local economy with particular emphasis on jobs and social services; and

WHEREAS, Mayor Caliguiri proclaimed Sunday, August 5, 1984, CHAIN OF LIFE DAY in the City of Pittsburgh to focus attention on efforts to create a public awareness of the physical and material havoc caused by nuclear weapons; and

WHEREAS, on April 19, 1984, Secretary of the Navy John Lehman announced a nuclear attack submarine was to be named the USS PITTSBURGH; and

WHEREAS, not one single Pittsbuirgh resident, official or otherwise, was ever consulted regarding this arbitrary decision; and

WHEREAS, Secretary Lehman claims Navy Department spending in Western Pennsylvania is creating jobs while Pittsburgh unemployment continues to rise; and

WHEREAS, cost estimates to build this type submarine will be $706 million dollars to taxpayers; and

WHEREAS, this class submarine will carry twenty 200 kiloton warheads with the combined destructive force equal to 307 Hiroshima bombs; and

WHEREAS, nearly three-fourths of all Americans oppose the continuing arms race; and

WHEREAS, over 2,000 people have signed a petition opposing this weapon of mass destruction being named in 'honor' of our city.

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh calls on Secretary Lehman and President Reagan to NOT name a nuclear attack submarine after our city as it is not an 'honor' to the life-loving people of Pittsburgh.

Mr. Robinson moved to adopt the resolution.

Michelle Madoff seconded the motion.

Michelle Madoff:

Discussion. Obviously my colleagues are reticent to support Mr. Robinson. I had the same letter asking me to introduce this bill in my office and it was a little bit unclear of exactly what was happening. I think that you've clarified it very succinctly, Mr. Robinson, and you're to be commended.

I think the dichotomy here is everybody's saying, "I'm afraid to vote against it because it might be construed as we don't want military spending on construction in this area." Either we have to have the courage of our conviction and be true leaders or we're going to be mealy-mouthed little mice and say, "Well, we don't care if they make nerve gas here. As long as we get paid we're not going to worry if it destroys the world."

I think your point is well taken and I think we should have the courage to support not having this nuclear submarine named after Pittsburgh. I don't want it named after us.

Mr. Woods:

Mr. President, so that I don't seem mealy-mouthed, I am not for nuclear war, I don't think anybody in their right mind is for nucler war. But I am very proud to have this submarine named after the City of Pittsburgh and that's

why I'm not voting for this resolution.

Michelle Madoff:

Why would you be proud, may I ask?

The Chair:

Wait a minute. Go ahead Mr. Wagner.

Mr. Wagner:

Mr. President and members of Council, our greatest deterrent to nuclear attact in this country is a mobile retaliatory system of nuclear arsenal. That is a nuclear submarine. A nuclear submarine is in the ocean, it's out there, no one knows where it is. If there's anything that keeps this country from being attacked by other nuclear arsenals from other countries, it is a nuclear submarine. I personally am against the MX; I am against many types of nuclear arsenals and nuclear war. But I certainly do not want this country to be attacked and I personally think that a nuclear submarine is what is preventing that from happening and for that reason I support the naming of the nuclear submarine the U.S.S. Pittsburgh.

Mr. Givens:

Mr. President, I strongly oppose this resolution, very strongly. Pittsburgh has traditionally been a center for our national industrial heartland. It is from this industry that much of our military and defense weaponry has been built.

The naming of a nuclear submarine in tribute to our City is still a significant honor. We must think of the morale of the men who must fight and we must give them the capability of not a second rate team but a first rate team. I had first hand experience with this after serving some 20 years in the U.S. Air Force. I've seen war and its tragedy first hand and I as much as anyone here hate warfare. I underline that. I hate warfare. Yet I recognize a strong defense as a price of freedom in the modern world. I oppose this resolution because it undermines and undercuts the very thing that we try to recognize in that defense posture of having a strong type of defense. The fact that our City's name is being placed in honor in our Naval fleet I think is an honor in itself. Just because a submarine is named the U.S.S. Pittsburgh does not mean that the citizens of Pittsburgh are war mongers or hell bent on nuclear destruction. I think it's just the opposite. The naming of the vessel is a symbolic act recognizing our region's historical role in the necessary realities of military weapons production. Our men and women who come from the City of Pittsburgh and have sweated to build that strength and have served in the armed services of our nation, therefore naming a submarine in honor of Pittsburgh is as much a tribute to our citizens as to the status of the leading metropolitan area that we come from.

I urge my colleagues to vote against this resolution so as not to deny the people of Pittsburgh a rightful measure of pride in our City's historical role in the defense of America and the freedom of a free world. It is because our City's people are loving, it is because the people of the City of Pittsburgh are life-loving, that Pittsburghers have fought to protect the lives of people threatened by international conflict. I maintain that the U.S. Naval submarine bearing the name of Pittsburgh is an honor that we cannot deny our citizens. Thank you, Mr. President.

The Chair:

Take the vote, please.

Mr. Givens:

I vote no for this resolution in front of us. I think all of us are very thankful that the City of Pittsburgh might accept a $100 million contract for CMU that is coming out of our Defense Department. How can we receive something on one hand and deny a tribute to our people on the other hand? That's what I'm saying. We are a citadel of our defense and that's the defense of a free world as well as our own country and that of the City of Pittsburgh. I vote no on this resolution.

Michelle Madoff:

In light of the fact that the submarine, I'm given to understand, was built in Connecticut, provided jobs in Connecticut, was also built in California and provided jobs in California, and is really just a PR, political move by Mr. Reagan to get votes in this community, I consistently vote in favor of Mr. Robinson's motion that I don't want the dubious honor of not even having any of the jobs in this area and having us labeled with an instrument of death, nuclear death, to have the name of Pittsburgh on it, and I think many Pittsburghers would agree with me. I vote in support of Mr. Robinson's bill.

Mr. Robinson:

Mr. President and members of Council, I think that the President and his Administration could have honored the City of Pittsburgh in a more appropriate fashion by spending a portion of that $706 million addressing some of our very urgent needs. Mrs. Madoff referred to the creation of jobs; certainly we could use some of that money to feed the hungry and house the homeless and to do much much more to revitalize our City and particularly our neighborhoods. I think certainly the resolution is consistent with the actions of this Council and our Administration in the past and certainly I think it speaks to all of our concern that nuclear warfare be avoided at all costs. The building of a nuclear attack submarine certainly at this point and at the cost of $706 million I do not believe is working in the best interest of peace or nuclear deterrence. I vote aye.

Mr. Wagner:

One comment. We cannot say as a city or as a nation that we enjoy our freedom and we want to remain free if we do not support a deterrent to attack. That is what this represents and for that reason I am voting no.

The Chair:

Relative to the second whereas, March 30, 1982, if my memory serves me correctly it was my motion that inserted the word "mutually". I believe that there is no one who is sane and reasonable who is looking for a nuclear war. At the same time, I think that we would be a little naive if we attempted anything along these lines as a unilateral action, counting on the hope that Russia will say that, "Now we have superior power we'll excuse you and we won't do anything wrong" I think is being totally naive. Until that is done, it is my believe we must do as we must and that is to prepare as we will. I would, however, as I vote against this, join in hoping that our President will call the Soviet authorities to that table together to see if we can't in the sake of saving mankind get down to some peaceful resolvement of the direction in which we are heading. The answer is no.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff	Mr. Robinson

AYES 2 NOES 5

VOTING NO:

Mr. Givens	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. Wagner	(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Mr. Wagner:

Mr. President and members of Council, the purpose of this resolution is to declare November 11th through November 18th, "Meals On Wheels Week" and in dedication of the first annual Thanksgiving Fast to benefit Meals On Wheels.

I would like several people to step forward. Rachel Neverdale with the Beechview Meals On Wheels program, Mattie Rutledge with the Sto-Rox Meals On Wheels program, Esther Hartman from the Carrick Meals On Wheels, Frances Fralech from Brookline Meals On Wheels, Judith Schooley who is a nutritionist with the Lutheran Service Society, and Lori Stolt, a coordinator with the Lutheran Service Society.

Mr. Wagner presents

Bill No. 1707 WHEREAS, Meals on Wheels is a community based support system which provides food and other services to the homebound elderly and handicapped in Allegheny County; and

WHEREAS, the organization, with 18 kitchens in the City of Pittsburgh and 32 in Allegheny County, has over 7,000 volunteers who prepare, package, and deliver one cold and one hot meal each weekday and holidays to nearly 3,000 people; and

WHEREAS, these dedicated volunteers, who are often the only people who are in touch with the frail homebound elderly, keep in contact with family members; take care of emergencies; help care for pets; write letters; shop; and provide little extras to make the homebound person happier; and

WHEREAS, this organizations concern for the well being of the elderly and handicapped has enriched the lives of many and serves as an inspiration to the City of Pittsburgh and Allegheny County; and

WHEREAS, from November 10th-18th, the Lutheran Service Society of Western Pennsylvania, the National Association of Meals Programs, private Meals on Wheels programs, and several community organizations, churches, and elected officials are sponsoring the first annual THANKSGIVING FAST to benefit Meals on Wheels by pledging their time and money to help with various aspects of the program.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City Council hereby declare November 11th through November 18th "Meals on Wheels Week" in the City of Pittsburgh to focus attention on the program's valuable contribution and humanitarian concern for our society's elderly and handicapped, and this Council pledges our support for their efforts to sustain these charitable programs which enrich the dignity and

the quality of life in our city.

Mr. Wagner moved to adopt the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. Wagner:

Members of Council, I'd like to present these resolutions to Rachel Neverdale and Mattie would like to say a few words.

Mattie Rutledge:

I don't know how familiar you are with the Meals On Wheels program but I feel it's the best volunteer program there is. We've been having a little trouble lately and I think now people are beginning to realize just how important it is.

There's 38 kitchens in Allegheny County affiliated with the Lutheran Service Society. Each one is unique. Every kitchen runs differently but they all do the same work, to deliver to the homebound people. I have been working with our kitchen for ten years so I'm going to tell you something about my kitchen because that's the one I'm familiar with.

We serve 76 people a day and we have 65 volunteers a week. It takes 12 people a day besides our paid cook and coordinator to run this program. Maybe you don't know what their meals are so I'm going to tell you. We serve a meat and two vegetables, hot vegetables, and then we serve a salad, a dessert, a sandwich for the evening, bread and butter, half a pint of milk, and a 6 ounce can of juice. So, that's quite a lot. The donations that we get from our clients are $10 a week. We do not turn anyone away; some of them we serve for less or even we would serve a meal without cost.

I feel that it is one of the greatest organizations that there is and most of our people are older clients but we do not have an age limit on ours. We take anyone that needs to be served. We get a lot of calls from our hospitals and then maybe they'll be on two weeks, a month or two months, until they can do for themselves and then they go off on their own.

We get some federal funding and our churches and organizations really come through with donations. I would suggest that everybody get out and try Meals On Wheels one time. Once you get involved you'll never quit because when you see these dear old people, mostly dear old people who don't see anyone a lot of times but us during the day, and they're waiting for you with their knife and fork and their cup and everything ready when you get there. So, I'm 100 percent for Meals On Wheels and I've worked with it in every capacity from president of our board down to the kitchen cooking, delivering and I'll even scrub for it if it's necessary.

The Chair:

Mattie, if I may just offer this comment, I think that all of us will join in your comment that it's probably one of the best volunteer programs within the City, but you also made a comment that each kitchen is run differently; let me say that each of them, even though different, will run it better than the State will run it and I hope we stop that onslaught of their interference on our local program.

Mattie Rutledge:

We had one of the radio stations

say that they wished they had us in their cafeteria.

The Chair:

Representative Trello had that committee meeting, if you'll recall, in the Gold Room and I had the opportunity to testify for Meals On Wheels. I hope that we stopped it now once and for all.

Rachel Neverdale:

May I say that in being a Meals On Wheels volunteer, speaking for all of our volunteers in the City and our county, I would like to thank you for this recognition and giving us the Meals On Wheels Fast Program, Thanksgiving Fast, to recognize the Meals On Wheels program in our community. On behalf of all the Meals On Wheels volunteers, I'd like to thank the City and City Council for this recognition.

Michelle Madoff:

What is the Fast?

Rachel Neverdale:

Thanksgiving Fast, there has been a national recognition of Meals On Wheels so this year, to tie in with the national recognition of Meals On Wheels, Allegheny County Meals On Wheels thought it would be a nice idea to do something for our own Meals On Wheels Program in our county. What we have come up with is a week of recognition for the Meals On Wheels program calling it a Thanksgiving Fast and that would be in each community to recognize their Meals On Wheels program, come up with something like a soup day or whatever they feel would be appropriate for their own community and then to say to all those in the community to come out and recognize your Meals On Wheels program with a cup of soup, homemade bread or whatever has been provided for that day. It is a special day set aside and it can be any day between the dates of the 10th to the 18th. It depends on the community how they want to recognize that in their own particular community. We are calling it a Thanksgiving Fast.

Michelle Madoff:

I thought that the idea was that you fast and only have the soup and then you donate the rest of the money for what you're not eating. It would be a very good idea. We could all use a little dieting.

Rachel Neverdale:

Yes, that is the idea. The emphasis would be on the dieting and any of the money that we would spend —

Michelle Madoff:

Where would the money be sent to?

Rachel Neverdale:

We have a discretionary fund or each community has a Meals On Wheels program so that can be directed to the Meals On Wheels program in their own community.

Michelle Madoff:

Will it be listed in the paper so that people will know where to send the money? Okay. I would like to tell you that I would love to have the Pittsburgh name attached to the program that you're doing because it's dynamite and I don't really want it on a submarine.

Mattie Rutledge:

We thank you. We find in our own community anytime the Meals On Wheels

program is mentioned that it's something they can identify with because it does have credibility in the community. So when we hear of the Meals On Wheels program we're ready to rally around that program.

Michelle Madoff:

I might also add that there is not a lot of money spent in running the program; it all is funneled right through to the user. It's one of the rare programs where there isn't a 15, 25, 35 percent fund raising effort in order to provide the service. You're really to be commended. That's really being a good Christian in the broad sense of the word.

The Chair:

Thank you all.

Mr. Woods, Mr. Wagner and Mr. Stone present

Bill No. 1708 COLONEL Mitchell Paige USMC (Retired) will be honored at the celebration of the 209th Marine Corps Birthday held in Pittsburgh on November 9, 1984; and

COLONEL Paige won the Congressional Medal of Honor for his heroic actions with the Second Battalion, Seventh Marines, First marine Division, Guadalcanal, Solomon Islands Area on October 26, 1942; and

PRESIDENT Franklin D. Roosevelt said of Colonel Paige in his citation that his great personal valor and unyielding devotion to duty were in keeping with the highest traditions of the United States Naval Service; and

THIS City is proud to honor Americans like Colonel Paige whose fortitude and courage serve as an inspiration to us all.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City Council hereby recognize and honor Colonel Mitchell Paige, USMC, for extraordinary heroism and gallantry in action above and beyond the call of duty while serving with the Second Battalion, Seventh Marines, First Marine Division in combat against enemy Japanese forces in the Solomon Islands area on October 26, 1942, and this Council wishes to thank Colonel Paige for exemplifying those great qualities and virtues upon which this country was built.

Mr. Wagner moved to adopt the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

The Chair:

It's my understanding there is to be a presentation to Colonel Paige on November 9th.

If I may, I'd be remiss if I didn't mention this comment. Colonel Paige is no stranger to me for the reason that he originally came from this area and after a six months search I found him in Culvert, California. He is an American of Soviet descent and as part of our national fraternal group, the Serb National Federation, we had planned a museum of all the persons who had served in the different armed forces. He was one of those selectees and we have not completed our project but I've had the opportunity to know much about him and I think that them honoring him this Friday is indeed deserving.

Mr. Robinson:

Mr. President and members of Council, today we passed Council Bill

876 which specifically dealt with an issue that was before Council last Wednesday in reference to an unnamed way behind Mexico Street. At that time when we discussed this bill, I indicated that those concerns the citizens had about whether or not Saint George's Ukranian Catholic Church will live up to their agreements relative to maintaining properties that they own could be addressed by a two-party agreement; that is, an agreement between the Church and City. The Church through their pastor, the Reverend George Appleyard, has submitted to Council an agreement that details their commitment to live by the agreements that they indicated they would live by. This agreement can be signed by the appropriate people in the City of Pittsburgh. Mr. Grimm, the attorney for the Church, is present today and if the City Clerk would be kind enough to direct Mr. Grimm to our City Solicitor and to the Chairperson of our Planning Commission. Those parties in the City who should sign this kind of agreement hopefully will do so and I think that those people who had any doubts in their mind about the good faith of Saint George's Ukranian Catholic Church should have those concerns erased today. I think they've acted in a very good faith effort and have indicated they'll live up to every agreement that they indicated they would live up to.

Mr. Woods:

I would like to add one thing. They've already spent over the weekend cleaning up all the area and all the property they own.

The Chair:

The Chair would like to mention officially that relative to the lighting performance audit, the Chair has set up a Council sub-committee made up of Councilman Woods, Councilman Givens, Councilman Wagner with Mr. Woods serving as the Chairperson. We have received two reports and I'm expecting this committee to sift through all of it and come out with some understanding of what is involved and likewise what needs to be done.

In addition to that, I would like to announce that the mother of Senator James Romanelli passed away yesterday and I would like to go from this body a letter of sympathy to the family and to Senator Romanelli as well.

I've been asked that the originally planned post election rally tonight in the Lithuanian hall to be hosted by Senator Romanelli has been cancelled. I understand everybody was invited but that's now off.

Michelle Madoff:

Mr. President, the appointment of the Committee — You asked for that to be appointed; is that correct, Mr. Woods? Who's idea was it to appoint the committee to look into the issue of the lighting, the dichotomy of information from Mr. Flaherty, the Controller's Office, and the Administration?

The Chair:

Mr. Woods suggested it, I agreed with it, and I made the appointment.

Michelle Madoff:

I would like to put it to a vote and I'll tell you why. We are all elected members, duly elected, I don't want to sound pompous but I did have 78,000 votes in one of the elections and I don't need somebody to sift through this information for me on this Council. I would like to hear from both sides; from the Administration and from Tom Flaherty's Office and decipher the

information, not have it strained for me.

If we had an outside independent consultant or a person acting as a fiscal analyst we probably wouldn't have been in the situation in the first place. My understanding is that the Administration is saying, "Oh, we've been working on it for a year and a half" and my understanding is that Controller Flaherty is saying, "Look, we have the goods on them". My own feeling is that both parties are just as guilty. I resent getting my information from the media that there is some difficulty in the City in the same way that I resent the Mayor briefing Council at an emergency meeting at 9:30, right there in his board room, to tell us about the North Side Project, a two and a half year study, ten minutes before he's going to meet with the media so he can say, "Well, we told Council." That's not the way you work with an elected body that has to make meaningful decisions, take meaningful votes, and not vote in a vacuum.

With due respect to my colleagues, Mr. Robinson has for many years said that the way the Senate, the House, and other government bodies function is as committees and that he would like to see a Water Committee where three people sit on the committee. We'd like to see any committee that is addressed by this Council with three people sitting on the committee and we've been voted down on that. Suddenly to have three people sift through and give me information, nonsense. I want to be there, I want a public hearing where both sides are here, the Administration and Mr. Flaherty, and I want to hear the information like we always do. I don't care if it's a public hearing or a post agenda but I don't want three people to sift my information for me.

The Chair:

No one is prohibiting eventually a public hearing on the issue. The question is, where are we now?

Michelle Madoff:

Let's hear from both sides and we'll know where we are.

The Chair:

Well, I made that decision and it will stand.

Michelle Madoff:

I don't want to be nasty, Mr. Stone, but according to the Home Rule Charter we can have — I'd like to have a committee of three appointed to investigate that $6,000.86. I make a motion to have a committee to investigate that. You're starting committees of three and I'd like to have a committee of three. I don't want to serve on it either.

The Chair:

Relative to this committee, it's been appointed and unless I hear anything else the committee will function.

Michelle Madoff:

I'm making a motion that we don't sift information for this Council, that we hear it directly. I don't see why I have to go through —

Mr. Givens:

You won't, Michelle. The Directors promised us that within 7 to 14 days we'll have a report up here.

Michelle Madoff:

Then why are we having a committee? It looks to the public like a whitewash.

Mr. Givens:

No, we just had legislation introduced today formally that will come up in Wednesday's session that will ask this petition to be sent down to the Director and ask for a response from him. Until that response comes back, I think the Committee is not going to have too much information other than to gather information.

Michelle Madoff:

I don't want you to get information I'm entitled to. I want the same information.

Mr. Givens:

You'll get that same information.

Michelle Madoff:

Then what are you having a meeting for? Why are you having a meeting? Why are you having a committee of three? What is this, the annointed three? I'd like another three annointed.

The Chair:

Do I have a second? Not hearing any second, let's move on.

Mr. Robinson:

Mr. President and members of Council, a couple of weeks ago we took action to speed along the development of the Grant Liberty Hotel and Office Complex. At that time we passed a resolution, Council Resolution 944 which indicated that we were giving authorization to the URA, to the Mayor, and the other appropriate people in the City to initiate actions to secure financially qualified developers and to assure that the appropriate private financing was available for that project. That resolution was based on the presumption that the present developers, the Grant Liberty Group, would be unable to meet their deadlines and even if they did that they might not meet them in such a fashion that the hotel development would be imminent.

We originally, or at least I originally, in the resolution had requested a November 30, 1984 time deadline for all the necessary documents to be signed for all of the financing to be in place. With the advice and consultation of Mr. Brophy, our Executive Director of the Urban Redevelopment Authority, that date was changed to November 2nd. November 2, 1984 has come and gone and we still do not have a complete set of documents that would assure the construction and operation of that hotel-office complex.

I did receive today, November 5, 1984 a letter from Mr. Brophy which I would like to read into the Record and I would like to make a couple comments on the letter after its been read.

"November 5, 1984

President and Members of City Council
510 City-County Building
Pittsburgh, PA 15219

Dear Sirs and Madams:

On Friday, November 2, 1984, the Grant-Liberty Hotel and Office Project took a step forward.

As you recall, on that date action had to be taken by the developers to

close on the land owned by the URA in order to cure the default under terms of the URA's Disposition Contract with the developers.

Such action was taken when the developers and the URA closed in escrow. The developers deposited with Commonwealth Land Title Insurance Company, $2.135 million in cash, plus a bond securing an additional $2 million and a letter of credit securing $941,000 in accord with the terms of the Disposition Contract. And, the URA placed the deed with the Title Company. The deed will be recorded as soon as the final evidence of financing is produced.

This final documentation must be produced as soon as possible, but no later than November 30, 1984.

In the unlikely event that the documentation is not provided by that date, the developers have agreed - via an Escrow Agreement - that they will relinquish any right they have to develop the site, and that $425,000 of the deposited $2.135 million will be paid to the URA. This payment is in addition to a $250,000 good faith deposit already pledged to the Authority in the event the project does not proceed.

Independent conversations with Metropolitan Life verify the developers' statements that final versions of documents could be completed almost any day.

I will keep you abreast of this situation. I am hopeful that my next communication to you will be an invitation to groundbreaking ceremonies.

Sincerely,

Paul C. Brophy
Executive Director"

My comments will be brief. I believe that the actions that were taken by the Urban Redevelopment Authority were inconsistent with Council Bill 944 and with a previous bill that this Council passed more than a year ago. Both bills made every attempt to provide to the developers of this hotel-office complex, the Grant Liberty Development Group, an opportunity to finalize their arrangements and finally bring to fruition in this a Convention Center hotel.

It would appear that the developers are still unable to finalize this arrangement no matter what type of time limitations we extend to them and that now we are in a position where even legislative action by this Council appears to have been circumvented. I think there are a number of questions that have to be raised; one is, what is the real reason this Convention Center hotel project cannot move? What is the real reason that we can't build this hotel? What is the real reason that these developers, this development team, can't seem to build this hotel and office complex after three years of delay, various extensions being given to them, all types of assistance being offered by this Council, the Administration, the URA, even their own internal reorganization on at least three occasions?

I think it's also important to note that one of the largest real estate development companies in the United States is behind this deal, the Metropolitan Life Insurance Company. Metropolitan has $300 billion worth of real estate investments. A $100 million project is not a big project for them. They have the money. Their financial contribution to this project represents two-thirds of all the money that is necessary.

Perhaps the key to finding the

solution to why this hotel and office complex can't be built can be found in New York, in the headquarters of Metropolitan Life Insurance Company. Evidently the developers have done everything they can locally to make this project happen. Metropolitan, I believe, unfortunately hasn't done everything they can do to make it happen. If the financial arrangements for this project are not in place today, how are they going to be in place come November 30th?

I think if you read carefully Mr. Brophy's letter it's rather obvious that he's hedging his bets. Mr. Brophy originally did want a November 30, 1984 time line. That's the original time line that I suggested. Councilman Wagner said that he thought we ought to go to November 30th and he voted accordingly. Mr. Brophy said that he wanted a November 2, 1984 time line. Mr. Brophy evidently has agreed to a November 30th time line when he said he wanted November 2nd. I can only assume that it's out of the hands of Mr. Brophy and it's out of the hands of the URA board and it's out of the hands of the Mayor and it's out of the hands of this Council whether or not we're going to have a hotel and office complex across from the Convention Center.

Evidently, the problem is with Metropolitan. They have the money, they have the expertise, but I'm wondering if they have the will to work with local officials, local developers to make our Convention Center hotel come into being. The people of the City of Pittsburgh are the ones that are coming up short now, our local developers, our elected officials. It would appear that nothing that we do even legislatively, even legally, can get metropolitan and these developers to come to the table and sign agreements.

This letter from Mr. Brophy, I think, is simply an example of our frustration, the City's and the URA's, to try to make this project work and this issue of putting money in escrow and putting titles in escrow is simply dodging the issue. The issue is, there is no final documentation that the financial package is in place to build that convention center hotel and office complex.

Resolution 944 asks the URA to move expeditiously to find new developers. I would hope that the URA begins to move expeditiously pursuant to 944 to find some developers for this hotel site and to move on.

One last comment. Beyond our inability to move this hotel office project is the question of whether or not we can move other projects in the City. We have Herr's Island, we have the Civic Arena site, we have the Penn Central site, we have the Strip District site, we have the Stadium site. If anything, we need to let Metropolitan and other real estate developers know that we are serious, that we want to work with them but we can't have them hold us hostage. How can we convince the developers to come and work with us if we do not do what we say we're going to do and that is to assure the private financing? The City of Pittsburgh said they would assure the private financing for this deal, then let's assure it. If Metropolitan won't, somebody else will. If we're going to move on any other kind of development in this City, when are we going to get this Convetion Center hotel moving so that we can reinstill confidence on the part of the developers and financiers?

I'm very dismayed and very discouraged by this letter that Mr. Brophy sent and I'm very disappointed that the Urban Redevelopment Authority is being jerked around by the

Metropolitan Life Insurance Company.

Mr. Wagner:

Mr. President and members of Council, Mr. Robinson's comments are well taken. I was very distrubed to see that this project was not going through as all members had hoped it would go through. I have said all along at a couple of our Council meetings that there is a problem here that is not surfacing and I think that problem continues not to surface and it pertains to the lack of confidence of the developer in Metropolitan Life who does have loads and loads of money. They have sought out the right financing arm for this development. There is a problem that is not surfacing in the area of the Convention Center and we as a City have not addressed that problem. What is the problem? Well, I personally think, and I know Mr. Grabowski and I had a news conference last week pertaining to the problem which is the lack of concentrated development in and around the Convention Center. You walk out of the Convention Center door and you go east along the river and what do you have? You have vacant parking lots. You walk out of the Convention Center door and go west along Liberty Avenue, and we all know what's there. Why would a company like Metropolitan Life want to invest several hundred millions of dollars at that location when they can do it in Baltimore at a similar location that they are sure is going to have a return on their investment? They are not sure in Pittsburgh. That is the reason why the commitment is not being made in Pittsburgh.

Is it out of our hands? I don't think it's out of our hands and we all know how critical this hotel is to the future of this City to bringing in a new industry and that new industry is tourism and conventions. I don't think it's out of our hands; I think this Council can change the direction of this hotel. What needs to happen is we have to make a commitment towards development in that particular area of the City.

We all know what happened a couple months ago. There were consultant studies given to us about a proposed development in and around the Stadium. Councilman Grabowski and myself suggested that the Administration re-evaluate that study, not to say that everything that was suggested around the Stadium is not a good idea. There are some things there that are good ideas that a lot of people think will fly; a hotel, some retail shops. But the concentrated area needed for development in this City is, in our opinion, around the Convention Center. There are 40 acres of vacant property sitting between the Convention Center, going northeast along the Allegheny River. It's right now today either sitting idle with vacant buildings or mostly used for parking. If this City within the next — today is the 5th of October — within the next three weeks makes a commitment towards development in that particular area by saying we will go in along with whoever owns the land — and we need a commitment from them also and we should be talking with them, if we were to go in and spend the types of dollars that we are intending to spend in and around the Stadium area at the Strip area, I am absolutely certain that Metropolitan Life will realize that this City wants to enhance that Convention Center. That financing arm is not certain today, that we as a government body are concerned about development in that area.

For that reason I think we should change our course of direction. Instead of saying that we want to put a science center around the Stadium area, that science center should be beside the

Convention Center. It's a natural. Science centers do not go with stadiums; they go with convention centers.

We have in the area of that Convention Center, if we all think for a moment, we have a new east busway that comes into Penn Central Station, it stops right there; we have a new LRT system that's being constructed and will be completed next year that will come in the Penn Central Station; we have Penn Central Station itself, the railroad that comes into there, one block from the Convention Center; we have a Greyhound Bus Terminal; we have a Trailways Bus Terminal; we have a highway being constructed with a new bridge to hook up the East Street Valley and the Crosstown Expressway that is going to all come in to that particular area. We have the nucleus right there. We're putting in a new Grant Street, a new Liberty Avenue and all our dollars, local, state and federal, appear to be going in that area except for concentrated development. Now we're saying as an administration, "Let's go over to the Stadium and relocate the roads and build a people mover and build a garage, four stories, to hold all the cars that are over at the Stadium, let's spend $20-25 million just to prepare the area for development." We don't have to do that in the Strip area. The Strip area right now is having a lot of infrastructure work being done around it. All the means of transportation lead to it. We have a white elephant of a convention center that's not working. Why are we not making a commitment as a city for development in that area? If we do make that commitment, and I think this Council can change the direction within the next three weeks, if we make a commitment, if we pass a resolution, if we allocate some dollars to that area, I am sure that Metropolitan Life will come up with the money to build a hotel that they are sure will have a return on their investment. Not only Metropolitan Life but we're going to have other companies come in and want to build other hotels.

Right now, the city of Baltimore, downtown Baltimore within five blocks of inner harbor and the convention center, has six hotels under construction, being built. You can see them. We're trying to get one and we can't get it. The reason why is that we have not enhanced that Convention Center. Until that's done, this is going to fail. I am suggesting that we as a Council change that direction.

Michelle Madoff:

Mr. Wagner knows because I've spoken to him before, Mr. Robinson I spoke to today, Mr. Grabowski and I think I've spoken to Mr. O'Malley who is not here at the moment, I don't know if I've spoken to Mr. Woods or not. I feel very strongly that Mr. Wagner is right on target. We tried today to speak to our Planning Director and I pointed out to him that the study they did on the North Shore study which encompasses the Stadium took 2-1/2 years. We don't have 2-1/2 years for another study and to start jobs at the Stadium which will take five years. We've got to start jobs perhaps in the next three weeks, Mr. Wagner.

To that purpose, I think it would be imperative that we invite the people who are the architects and the developers in that Strip District, and I believe that's Buncher Company, to come before this Council and tell us what their plans are and tell us what they need from us. My understanding of what they need would be boardwalks and docks for the marinas. The same UDAG dollars that might go to the Stadium. Obviously we have X number of dollars allocated to this community and we can't spread it out. My feeling would be to go where

you get the jobs first and certainly this side of the river is not as impacted and would be the logical place to proceed.

On that basis, I would very much make it a motion that we invite people from the Buncher Corporation to meet with us and that gets to my business. I have no quarrel with the three members of Council who have been appointed —

Mr. Woods:

Mr. President, can we stay on the subject?

Michelle Madoff:

I'm on the subject. I would like to void the three people concept but have all of Council hear from the possible developers of the Strip District, the primary people who own the land there, to come before us and not have a committee of three talk to them. In the same way, I don't want a committee of three on anything; I want to be there.

I make a motion that we invite the people who have the land there, the Buncher Corporation, to come and address us. I don't think it needs to be a motion; it can be a request of a Councilmember, can it not, Mr. Perry? Isn't that according to the Home Rule Charter or the rules of Council? I can just ask to have somebody here and meet with Council unless one member of Council will say no they can't come to the table and I believe we're going to address that this Wednesday and that should be resolved.

Mr. Woods:

I don't totally agree with Jack. If all the things you mentioned were right about the Strip District, the bus terminal, the LRT, the railroad station, I would think that Metropolitan Life would be so happy to build this hotel. They have this brand new highway through here, all these other accessories, the Convention Center; in fact, if I recall, they were going to be the ones, right after the Convention to build, to help build up that Strip District. For some reason you're right. There is a problem. Whatever it is, I don't know, but I think its been given to them long enough. They had it for well over a year and they haven't done anything with it. I personally know developers sitting out there with money that will go right now. We don't need Metropolitan Life. I'd love to have them; they have lots and lots of money. But right now with do not need them. There are a number of people sitting out there right now that will come in immediately if Mr. Brophy and the URA and the Administration through Metropolitan Life or these developers out on Friday; we would have redevelopers today. The idea is, they were the ones, this hotel was supposed to start that Strip District movement. So, it's just the opposite. We're not hurting that hotel; that hotel is hurting that Strip District. If I was going to build a hotel, I would love to have it with the real road, all the things that you've just named, the new highway, the Convention Center. They'll get all the business they want right from that Convention Center.

Part of the problem is, and I understand this, they will not put a block of rooms away for the Convention Center if there's going to be conventions here, that particular hotel chain. They will not give cut rates like every other hotel gives when there's a convention in town. That is the problem. That's why they're not being funded. This particular chain will not do that type of thing and that's why we should go right now with another developer. I don't agree with this November 30th because we've got people sitting right there, right now, ready to develop.

Michelle Madoff:

And we voted that way. Are the wishes of this Council not respected? We voted that November 2nd was the last day. Now what's the fuss? How can a director go over the vote of this Council?

The Chair:

There's nothing more to do unless this piece of legislation comes. Legally they have started —

Michelle Madoff:

We voted not to extend past November 2nd.

Mr. Woods:

I would like to make one more comment. I sent a letter to Mr. Brophy — we all got a copy of the same letter; I was very happy to see the progress he's made — but he neglected to put one thing in that. Even if it would be November 30th that everything would be in order, and I asked him in writing, what is the date they will break ground.

Michelle Madoff:

He said the next message you'll hear from him will be a notice. That could be two years from now. He's going to be in my office at 4:00 if you'd like to join us.

Mr. Robinson:

Mr. President and members of Council, as Chairman of Planning, Housing and Development, I'm a little concerned that we all might be galloping off in different directions and we might end up drawing and quartering the wrong person, if that's indeed what needs to be done.

It seems to me that the first order of business is for us to insist that the URA respect resolution 944 and that they begin to immediately find new developers for that Grant Liberty Hotel Office complex. If we need some instruction or direction from our City Solicitor I think we ought to get that so that everybody understands that we are serious.

Another thing that we have to keep in mind is that there is approximately $17 million in federal funds that is committed to this project pursuant to a UDAG, Urban Development Action Grant. This City anticipates applying for other Urban Development Action Grant monies for other projects. I'm sure that the people at HUD who passed out this money are going to look at our previous record, our ability to take the money that they afford to us and use it in a wise and efficient fashion. Part of the application process is that the City of Pittsburgh assures HUD that we will use the money in an efficient and effective manner; that we will assure the private financing. We have done neither. Prior to applying for any other UDAG grants, I believe that the URA and this Council and the Mayor ought to resolve this issue around Grant Liberty. I would suggest that our Planning Department and our URA not submit to Council any new applications for UDAG grants until this Grant Liberty issue is signed, sealed and delivered, that every pertinent document is signed, that this Council has a chance to look at those documents, and we can be assured in writing that this project is go or no go.

Bill 944 set a November 2nd deadline. Today is November 5th. As far as I'm concerned, we're looking for new developers and I would hope that the City Clerk would contact the City Solicitor's Office and ask them to give us some assistance and encouraging the

URA and the developers to move on.

One other comment I'd like to make and it relates to Councilman Wagner's concern for developing in the Strip District and developing around the Convention Center. We shouldn't forget that we have a Civic Arena. Two years ago, this Council gave authorization to the Urban Redevelopment Authority to develop around the Civic Arena in conjunction with the DeBartolo Corporation. Right now it would be the Civic Arena Corporation. There is a valuable piece of land which sits right behind the Civic Arena and, as you know, the Civic Arena is an entertainment complex. As far as building a science center or any other attraction, why not build it right behind the Civic Arena? For two reasons; one, the DeBartolo Corporation, perhaps for many good reasons, have been unable to move on development of those properties adjacent to the Civic Arena that they have under option.

Also, we seem to be having some difficulty of launching a significant development in the Hill District, the only part of the Golden Triangle that hasn't been developed. I think that we have a number of areas in this City that possibly could handle a science center, some sports or entertainment oriented activity, and God knows we need another hotel, probably right around the Civic Arena. Why not a hotel in front of the Civic Arena or a hotel behind the Civic Arena?

The reason I raised this is that I think we need to look at other areas of this City that also are suffering like the Convention Center site is suffering, suffering from an inability of developers to work in conjunction with government to put together a feasible plan that will work, that will come into being. Most of us on this Council have been here long enough that we can count on our hand, one hand, the number of major projects that have been started and completed. Almost every major project in this town that's been announced in the last five years has started out with a bang. Where are they? Allegheny International; delayed. Herr's Island; delayed. Civic Arena; delayed. Stadium; delayed. North Shore; delayed. Strip District; delayed. I've even gone to another hand. We've got to do something to find out why we can't make developments go in this community before we apply for one more dollar of federal money.

One last comment. We've had ten UDAGs in this City, ten Urban Development Action Grant projects in this City. Unfortunately, the people who passed the money out to us are not very pleased with the way we've handled their money or the way we pushed those projects. The Gateway Clipper fiasco is a prime example. We're either going to have to clean our act up or find another act because the people of the City of Pittsburgh, I think, are being cheated. They're being short-changed. We talk about development, we PR it, but it never comes into being. Let's move on 944. Let's make Metropolitan get off the dime. Let's get somebody in here who can develop that hotel.

Mr. Wagner:

Mr. President and members of Council, this point is so important that I'm glad it's getting the conversation it's getting here in Council and the concern. There's one key element in talking about the hotel and tying it into the Convention Center that we have to remember. Conventions come into a City, into a convention center, and they look not what's across the river, not what's two miles away, they look at what is within walking distance of the Convention Center. We've all been to

conventions, and you walk outside that Convention Center and generally you never go any further than walking distance from that convention center and that hotel. That is what makes a convention center work. The ability of an individual going there to walk and see. When we think of this hotel and what makes an investor want to come and build a hotel in this City, we can't think of just Pittsburgh. We have to think of other cities in this country. We are in essence in competition with every city in the United States of America that has a convention center and this city government, the City of Pittsburgh, has to expend more money to have a return on our investment and our investment is the game that we can benefit on from bringing outside money into this City. You have to spend money to make money. That's what we have to do in the Convention Center.

Mr. Woods, with all due respect, there is a lot of development around the Convention Center but let's think of where the money is coming from. The money for the Busway came from PAT, federal money. The money for the LRT came from PAT, federal money. Penn Central Station, private operation. Greyhound Bus Terminal, Trailways Bus Terminal, the highway going over it; we're not talking about City dollars here. This City has not made the financial commitment to that area. We will not get a return on our investment until we do that. Our investment is to get outside money; conventioneers create a new industry in this City. We have the natural resources; this City is prettier than nine out of ten cities in this country.

I am hoping that next Monday if Councilman Grabowski is here, we'd like to have a presentation. I've gone to Baltimore, Councilman Grabowski's been in Baltimore, we have slides, and we would like to make a presentation and show why Baltimore works well with its convention center location and why this City doesn't. I'm hoping to do that next Monday. Thank you.

Mr. Woods:

One more comment. I echo Mr. Robinson's feelings. I want a report from Danny Pellegrini what can we do to insure that the bill we passed two weeks ago will be adhered to. So far it has not.

Michelle Madoff:

It was interesting listening to my colleagues because you're really all saying the same thing; you want the City of Pittsburgh to prosper and you want those who make commitments to the City to follow through on what they're going to do. Well, Mr. Robinson, it would strike me that if we did something in the Strip District, the Civic Arena and the Hill being between, the Convention Center would automatically be improved. It would just be a natural flow. There's only so many UDAG dollars that will come to this area for subsidies and I think we need to make a commitment because it is very apparent that what really is happening is that why put a hotel if you have nothing to attract people to the area except the hotel and the Convention Center. One is not more important than the other, the hotel is not more important than the Strip District developing into a Baltimore Harbor kind of concept, nor is the concept of the Strip District more important than the hotel. They go hand in hand. If we can get some action moving and my gut tells me, and from everything that I've looked at and heard a lot of people seem to feel the same way, that if we can get something going in the Strip District right away the hotel will follow with a new developer and they'll be banging on our doors to get moving with

something. If Metropolitan is no longer in the picture, so be it. This Council moved that November 2nd was the due date; we've extended it four times. Either we mean what we say or we're just meaningless figureheads here. Do we mean it that November 2nd was the end? My colleagues, do we still hold to that? Is there a confirmation that November 2nd is the date?

Mr. Robinson:

That's the date.

Mr. Woods:

It's law. It's legislation.

Michelle Madoff:

Okay. Now, don't really hold with you sending a letter; I would think that the President of Council or the head of the committee should make a phone call and let us know in five minutes. How do we stop it? It's enough already. I'm meeting with Mr. Brophy at 4:00 in my office; you're more than welcome to meet with us.

Mr. Robinson moved to excuse Mr. Grabowski for absence from the meeting.

Mr. Wagner seconded the motion.

Which motion prevailed.

Michelle Madoff:

Discussion. The rule is, I believe, and it has always been that any member of Council who is not here will tell Mr. Perry why they're not here and where they're going to be. I have done that. As a matter of fact, I don't think I'm going to be here on Friday; I'm going to a public hearing on solid waste, toxic waste, because I think that's going to be a big industry in this community.

The Chair:

He told the Clerk.

Michelle Madoff:

That he went out of town. I'm glad to hear that. That was a man who zeroed in on Michelle Madoff with a $1,000.00 penalty if we didn't say we were going and did something else. I hope he's not vacationing without telling us. Maybe his doctor said he needs a rest.

Mr. Robinson moved to approve the Minutes of Monday, October 22, 1984.

Mr. Wagner seconded the motion.

Which motion prevailed.

Mrs. Masloff moved to adjourn this meeting and meet again on Tuesday, November 13, 1984 at 2:00 p.m.

Mr. Givens seconded the motion.

And on the motion of **Mrs. Masloff**

Council adjourned.

Municipal Record

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VOL. CXVIII Tuesday, November 13, 1984 No. 44

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Tuesday, November 13, 1984

PRESENT:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

Would Mrs. Masloff and Mr. Grabowski please escort the Mayor into Council Chambers?

I'm pleased and honored to introduce the honorable Richard S. Caliguiri, Mayor, City of Pittsburgh.

THE MAYOR'S STATE OF THE CITY ADDRESS

Once again I come before you to review the City's accomplishments of the last year and to present a budget which outlines our plans and expectations for the future. As in other years, the 1985 budget reflects changes in the way the City will be managed. It also reflects our intention to continue to provide, in the most efficient manner possible, the high levels of service our residents have come to expect.

Last year we presented to you not only an operating budget for 1984, but also the financial outlook for 1985. We are continuing this precedent by looking ahead to 1986 in order to plan to keep this City on a financially stable course beyond the next budget year.

As we look ahead, we realize that even as we make progress in controlling our expenses, there are many external factors which work against our ability to raise revenues to cover operating and capital costs. We cannot ignore the fact that the economic conditions which have so severely impacted some of our neighbors are also affecting the lives of our own residents, threatening our ability to sustain a municipal government which can maintain its infrastructrue and protect the health and safety of its citizens.

Because we are not isolated from the communities around us, we must look at regional solutions to our economic

problems. For this reason I will address today not only the state of the City but also the problem of our declining regional economy as it affects all municipalities in the Ohio, Allegheny, and Monongahela valleys.

But first: the state of our own City.

Last year, in our first two-year outlook, I told you that 1985 was going to be a difficult year, but that we were committed to doing "whatever it took" to balance the budget in 1985. Today I am pleased to announce that our efforts have paid off: the 1985 budget has been balanced without a tax increase.

While this alone is certainly good news for all of us, our attempts to hold the line on costs have proven even more successful than anticipated. I now feel confident in projecting that no tax increase will be needed in 1986 — so our taxpayers will have been spared a City tax increase for at least four straight years.

Naturally, this is a surprising and risky prediction to make. However, we are now seeing the effects of many belt-tightening efforts and management improvements that the City has made over the last several years which should allow us to attain this goal.

Revenue Enhancements

We have been successful in increasing revenues through a number of initiatives. The impact of Renaissance II will begin to be felt in 1985 when properties paying an estimated $2.3 million in property taxes will go on the City tax rolls. In addition, our challenge of downtown real estate assessments is expected to raise $2.0 million annually in increased property taxes.

The PGH-40 program has increased earned income tax revenues by an estimated $2.0 million annually. By holding more Treasurer's sales, the City has increased its collection of delinquent taxes by approximately $1.0 million per year. Interest earnings have increased by $300,000-$600,000 annually as a result of changing employers' withholding tax payments from quarterly to monthly. Another $300,000-$600,000 in interest is being earned from the use of our lockbox system which allows for quicker deposits of funds. Finally, the booting program instituted this year to crack down on parking scofflaws is bringing in over half a million dollars in previously uncollected parking fines.

Expenditure Controls

We have also been successful in controlling expenditures, particularly in the areas of debt service, personnel, and fringe benefits. In 1983 the City was able to restructre its debt, resulting in reduced debt service of $6.0 million total for 1984 and 1985.

We have been especially careful to bring personnel costs under control, since they represent the single largest cost in the operating budget. Tighter control has been placed on hiring, with the Budget Office reviewing the justification for filling all vacancies prior to authorization. Lower wage settlements have been realized which are consistent with lower increases in inflation. Increased productivity resulting from a change to curbside collection in 1982 and a consolidation of refuse routes in 1983 has reduced the need for personnel in the Department of Environmental Services.

The 1982 reorganization of the Fire Department resulted in more manpower available at the scene of a fire. As a result of this improved

performance, in 1984 the City was able to reduce the maximum number of firefighters assigned to double-company houses, relying on callbacks to fill in for those who were absent. Although the initial estimates of manpower needs have been revised upward, we have still reduced the number of positions by 64 as a result of this plan, while maintaining sufficient manpower to resond quickly and effectively to alarms.

Fringe benefits have been especially difficult to control over the past five years. However, increases in fringe benefit costs are now moderating, due in part to Blue Cross's efforts to reduce hospital costs and to the City's restructuring of employee benefit packages by providing higher deductibles and other cost-saving measures. We are finding that our closer monitoring of worker's compensation claims, improved medical attention to workers who are injured, and the institution of an alternate duty work program are resulting in a leveling off of costs in this area. In October, the City established an Executive Safety Committee whose goal is to insure the overall safety of City employees and residents by reducing job-related accidents and illnesses. Safety officers will be selected and trained in each department to head committees that will identify and recommend changes in hazardous work practices. We expect that this program will also result in substantial reductions in the City's disability costs.

Most of these initiatives have been in place for several years. The cumulative effect of these increased revenues and cost controls now places us in an improved financial position.

Home Rule Enabling Act

It gives me great pleasure to be able to relate to you a healthy financial picture, especially since we were faced this year with a critical challenge to our revenue-generating authority. In late September, the State legislature clarified the intent of the 1972 Home Rule Enabling Act, thereby allowing the City of Pittsburgh to continue its taxing structure. The legislature is to be congratulated for their prompt and responsible actions. Clearly we would have been unable to provide our residents with the present levels of service, and our future stability would have been uncertain if this action had not been taken. We would have been forced to lay off employees and to delay capital borrowing.

While I am relieved that such extreme action will not be necessary, I am nevertheless sobered by the incident. It reminds us that we must continue to answer to our taxpayers for the monies we spend, and we must always strive to provide services as effectively and efficiently as we can.

Departmental Reorganizations

Therefore, we are planning important management improvements in 1985, including two major reorganizations. These reorganizations reflect our continuing efforts to update management structures to match the changing needs of our City. In 1982 the Departments of Housing and Economic Development were merged into the Urban Redevelopment Authority, and the Department of Finance was created. In 1984 we consolidated our capital design and construction functions into the Department of Engineering and Construction, and we placed the maintenance of City properties, supplies, and equipment under the Department of General Services. Finally, in mid-1984, we created the Water and Sewer Authority to finance a massive capital improvements program to rehabilitate a

deteriorated system and to ensure that our water and sewer assets will continue to be protected for future generations. Each of these reorganizations along with the two proposed for 1985 will enable us to better meet the challenges of the 1980's.

a. The Department of Public Safety

The first reorganization I am proposing for 1985 is the creation of a new Department of Public Safety.

As you know, there are presently three departments which handle the public safety function: Police, Fire, and Emergency Medical Services. The division of authority among three different agencies has hampered an integrated approach to protecting our residents' lives and property.

This year, several incidents occurred which indicated that we need to make improvements in the area of public safety. We have learned that fire safety equipment is not always up tó standard, nor are all of our emergency vehicles equipped with seat belts. The recent hazardous material incident in the Strip District pointed out that we need to develop better policies and procedures for disaster response. The fact that it took many, many months to apprehend a suspect in the South Side arsons suggests that better coordination may be needed between our Police and Fire departments.

As a result of these occurrences, it has become evident to me that the police, fire, and emergency medical functions should be combined under one organization headed by an individual who can effectively coordinate the efforts in this area. Under this consolidation, administrative functions such as personnel, budget, purchasing, and inventory will be combined in a non-uniformed division, allowing more uniformed personnel to be available for street duty. A combined communications system which can quickly dispatch the appropriate personnel from all three agencies to the scene of an emergency will be developed. Training will be coordinated among the divisions, allowing police and fire to augment the more advanced medical expertise of EMS staff. Creation of a separate research and development unit will insure ongoing research, planning and evaluation of public safety needs and operations.

I am recommending that this new department be placed under the leadership of Glenn Cannon, the present Director of Emergency Medical Services. Under him will be four deputy directors who will head the Administration, Police, Fire, and EMS Branches. I propose to issue this new department the following mandates to increase coordination and cooperation among the operating branches in order to improve this City's public safety efforts:

1. Modernize and consolidate our dispatching system in order to improve response times and provide better information at the scene of an emergency.
2. Increase training and cross-training in the three branches in order to improve the level of service provided by the first responders to a call for help.
3. Re-evaluate all positions so that administrative and clerical work is performed, as much as possible, by non-uniformed employees, maximizing the number of uniformed personnel who are available on the street to respond to the needs of our residents.
4. Organize a hazardous materials team composed of all three branches which will be ready and

available to respond to disaster situations anywhere within our metropolitan area.

5. Develop disaster preparedness plans that will enable us to evacuate residents and to bring under control any situation that threatens lives, health, or property.
6. Develop a plan for combatting the dramatic increase in auto theft in our City.
7. Establish policies and procedures for vehicle pursuit which protect the safety of innocent bystanders, as well as the officers involved.
8. Pursue an aggressive employee safety program in conjunction with the City's new Executive Safety Committee.
9. Establish ongoing planning and evaluation of deployment and procedures in order to insure an effective and efficient operation.

Glenn Cannon has directed the Department of Emergency Medical Services since its creation in 1978. He has earned a great deal of respect for heading an agency that has won national attention for its success in providing emergency medical care. I am confident that as Director of the Department of Public Safety, he will continue to do an outstanding job.

b. The Pittsburgh Zoo

The second reorganization I am proposing is the Pittsburgh Zoo. The Zoo is presently undergoing a $15 million capital improvement program which is resulting in an impressive transformation of this facility. The innovative "landscape immersion" design of the Asian forest and African savanna is providing visitors with the opportunity not only to view animals in their natural settings, but to actually become a part of the animals' habitats. The new exhibits are clearly successful with the public — attendance is up nearly 40% over 1983, resulting in an increase of approximately half a million dollars in revenue.

As the capital program increases the Zoo's visibility and popularity, it is time to increase our management efforts as well. I am recommending that Director Howard Hays, after many years of capably operating this facility, be appointed Executive Director of the Zoological Park Commission. As Executive Director, he will serve as a special advisor to the Commission and to the Mayor concerning appropriate policies and the future direction of the Pittsburgh Zoo. This role will enable Director Hays, who has been instrumental in developing the "New Zoo" design, to devote full-time attention to maintaining the momentum of the capital development program through the construction of the tropical house and beyond.

The Department of Parks and Recreation will immediately begin a national recruitment for a new Director of this facility. In addition, a General Curator will be hired to oversee animal care and management, and an Assistant Horticulturist will be assigned to maintain the plant life that has been added to the natural habitat exhibits. It is my belief that the proposed reorganization will not only insure a successful capital program, it will also improve animal management capabilities, grounds maintenance, staff training, and educational programming at the Zoo as well.

1985 Capital Program

The capital budget I am proposing for 1985 is $130 million, of which $21.8 million will be raised from City borrowing.

In the past seven years the City has spent over $360 million in direct neighborhood improvements such as street resurfacing, street lighting, playground rehabilitation, water and sewer improvements, public safety, housing, and commercial revitalization.

We are continuing to maintain our commitment to the neighborhoods by targeting 66% of the 1985 budget in direct neighborhood improvements. For instance, we will be authorizing $62 million, or nearly half of the proposed budget, to various housing programs. We are undertaking traffic improvements in Oakland and street reconstruction activities in Beechview and East Liberty. We will also reconstruct six bridges at a cost of $4 million. Recreational facilities will be improved by the rehabilitation of one pool and the re-design of another, and several playgrounds will also be rehabilitated. Two new Emergency Medical Services stations are planned for Bon Air and Homewood West while two existing stations will be renovated.

In addition, we will continue the Home Security Program as well as the residential parking program, which currently operates in Lawrenceville and Oakland and is planned for other parts of the City. We will expand the Greenway Program to Beechview and Brookline. We will continue to encourage commercial revitalization with low-interest loans to businesses who locate in neighborhoods such as South Side, Bloomfield, Garfield, Oakland, Homewood and the North Side.

I am also proposing that $10 million be spent on various economic development programs and projects. In addition, we have provided over $7 million in funding to continue our commitment to develop Herr's Island, J & L, and the North Shore areas.

STATE OF THE REGION

While I am confident that careful planning and management will enable this City to balance its budget and maintain its infrastructure during the next two years without tax increases, the state of our regional economy presents us with a more formidable challenge.

The September unemployment rate for the Pittsburgh SMSA was 10.9%, compared to 7.1% nationally. Last year twenty-three of Pittsburgh's fifty largest employers reduced their work forces. During the five year period from 1979 to 1983, there were 88,200 manufacturing jobs lost in the Pittsburgh area.

We are proud that Pittsburgh has so many attractive features — such as reasonably-priced housing, good recreational facilities, and a variety of cultural programs and institutions — which place this City among the most "livable" in the country. But the fact that our region offers limited economic opportunity to its residents and to newcomers is an issue we must face.

The Reagan administration has not been willing to aid industrial areas like ours with government economic policies such as import quotas on steel. The national administration believes that our region will eventually feel the impact of an economic recovery that seems to be occurring in other parts of the country.

However, this decline in an economy that formerly supported major industrial employment in our river valley towns is structural in character. As a result, it has not responded to national trends toward economic recovery and growth. Special measures, both public and private, are required to deal with this persistent problem which affects the economy of the region and the state,

along with the viability of local governments and the lives of many thousands of people throughout Southwestern Pennsylvania.

In the absence of attention to this pressing situation by the federal government, local government must take the lead in establishing public policy which strives toward the goal of economic recovery for the entire region. At present, however, public authority is divided among the State, the four counties of Allegheny, Beaver, Washington, and Westmoreland, as well as hundreds of local jurisdictions.

An agency is needed that has the power to coordinate and implement projects and programs that adddress the issues of land use, public infrastructure, demographic trends, job retraining, reinvestment, and productivity incentives. An agency is needed that can mobilize private sector initiatives and Federal assistance toward the common purpose of development and reconstruction of our struggling economy.

Mon-Ohio Development and Reconstruction Commission

I am proposing that the Commonwealth, the four counties, and the City enter into a binding agreement for the purpose of directing their combined energies and resources into a development and reconstruction program for the communities of this region's industrial valleys.

This agreement would be known as the Mon-Ohio Compact and would be administered by a Mon-Ohio Development and Reconstruction Commission. The Commission would be made up of members appointed by the Governor, as well as the Chairmen of the Boards of County Commissioners in the participating counties and the Mayor of Pittsburgh.

Under the Compact the Commission would have the right to receive and expend public and private funds, to incur debt and to issue tax-exempt bonds, to hire a staff and consultants, to own and develop property, to exercise the power of eminent domain for public purposes, and to enter into cooperative agreements with the State, constituent counties and municipalities within its jurisdiction.

The initial cost of setting up this Commission is estimated at $1 million. I propose that the State appropriate $500,000 to this endeavor, and that it be matched by $500,000 in local funds.

Additional funding for the work of the Commission would come from subsequent State appropriations, drawdowns upon State bond funds issued for economic development puroses, grants in aid from Federal programs, and revenue bonds issued by the Commission.

Although the Commission would have no taxing authority, I am recommending that it receive an annual allocation of local funds from the constituent counties through a dedicated millage of no more than one mill. This would result in approximately $10 million per year which would go into a "SuperFund" to finance the Commission's projects and programs.

I will soon begin discussions with the Governor, State and County legislative leaders, and Commission Chairmen in Allegheny, Beaver, Washington, and Westmoreland Counties about the establishment of a Mon-Ohio Development and Reconstruction Commission. Enabling legislation will be drafted in the near future.

SALE OF THE U.S. STEEL BUILDING

As I announced earlier, the U.S. Steel Building has been sold this year, resulting in $4.4 million in deed transfer tax receipts. I believe that these unexpected funds should be used to address problems which impact the safety and well-being of our residents. For this reason, I am making the following proposal for the use of this revenue:

First, place $2.75 million into a Public Safety Trust Fund to develop a modern, computer-aided dispatching system for the proposed Department of Public Safety.

Second, place $1.4 million into a Water Rate Discount Trust Fund and implement a program which reduces the increase in water rates by 50% to low-income senior citizens and other individuals who meet the state's Property Tax/Rent Rebate Program guidelines.

Third, set aside $250,000 as Pittsburgh's share of the start-up costs for the Mon-Ohio Development and Reconstruction Commission to demonstrate this City's commitment to a regional economic development effort.

I believe that this proposal for using the unanticipated revenue represents sound public policy as well as demonstrating real human concern for our less-advantaged residents. It will allow us to make a significant improvement in the capability of our public safety network to respond quickly to emergencies and complaints. It will help our senior citizens who are "just getting by" on fixed incomes to better handle the increase in water rates resulting from our need to improve our water and sewer systems. It will demonstrate this City's strong commitment to cooperating with our neighbors in finding solutions to our common economic problems.

CONCLUSION

I look forward to the coming year with the knowledge that we have laid a solid foundation for significant improvements in the way local government works. We must now build upon this groundwork, continuing to reach toward our broader vision of a second Renaissance. As Samuel Johnson once said, "The future is purchased by the present." With your help, we will make that investment now.

RICHARD S. CALIGUIRI
MAYOR

PRESENTATIONS

Mr. Givens presented

No. 1709 Resolution granting unto Robert and Mary Lou Stofesky, their successors and assigns, the privilege and license to construct, maintain and use, at their own cost and expense, a porch and step encroachment on a portion of the sidewalk at 72 South 19th Street in the 17th Ward of the City of Pittsburgh.

Also,

No. 1710 Resolution granting unto Affordable Love, Inc., their successors and assigns, the privilege and license to construct, maintain and use, at their own cost and expense, a planter box on a portion of the sidewalk at 2230 Saw Mill Run Boulevard in the 32nd Ward of the City of Pittsburgh.

Also,

No. 1711 Resolution granting unto the Peoples Natural Gas Company,

their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, two (2) vaults in a portion of the sidewalks of Greenfield Avenue, 15th Ward, and Coltart Street, in the 4th Ward of the City of Pittsburgh.

Also,

No. 1712 Resolution providing for the letting of a Contract or Contracts or for the use of existing Contracts for equipment, services, and supplies for the purchase and installation of a video tape playback system to service the City of Pittsburgh Government Communications Cable Channel and the Municipal Services Channel, at cost not to exceed $175,000.00, chargeable to and payable from the Community Communications Trust Fund, Index No. 250555, Bureau of Cable Communications, Department of Public Works.

Which were severally read and referred to the Committee on Public Works.

Michelle Madoff presented

No. 1713 Resolution transferring $10,000.00 from Code Account No. 1932 Utilities, (193201) to Code Account No. 1934 Repairs, (193409). The request for this transfer of funds is necessitated because of a number of repair expenditures which was recently experienced.

Which was read and referred to the Committee on Finance.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also,

No. 1714 Resolution providing for the acceptance of approximately 300 feet of 6" water line and fire hydrant, running in an easterly direction on Meta Street from a connection to an existing 6" water line in Oneida Street, 19th Ward, City of Pittsburgh.

Also,

No. 1715 Communication from Daryl H. Smith, Director, Dept. of Water, requesting authorization to proceed with the repair of the HAIC current Stream Detector at the Water Treatment Plan Laboratory, at a cost not to exceed $1,300.00, payable from Code Account No. 1934, Repairs (193409).

Which were read and referred to the Committee on Water.

Mr. O'Malley presented

No. 1716 Resolution providing for the letting of a Contract or Contracts or for the use of existing Contracts for the purchase and delivery of Encapsulating Suits for the Dept. of Emergency Medical Services, at a cost not to exceed $11,200.00, chargeable to and payable from Code Account EMSTPP, Emergency Medical Services Third Party Payer Trust Fund, Index Code 251959.

Which was read and referred to the Committee on General Services.

Mr. O'Malley moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also,

No. 1717 Resolution Repealing Res. No. 93, approved February 23, 1984, effective March 2, 1984, entitled: "A Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the furnishing and delivery of Manual Typewriters, less trade-ins, for the Dept. of Police, at a cost not to exceed $6,000.00, payable from Code Account No. 1452 (145201), Equipment and Machinery, Department of Police," is hereby repealed.

Which was read and referred to the Committee on General Services.

Mr. Robinson presented

No. 1718 Resolution amending Res. No. 345, approved April 19, 1984, entitled: "Resolution approving a Conditional Use under Section 993.01(a)A(33) of the Pittsburgh Code, Title Nine, Zoning Article V, Chapter 993 for authorization to construct a 7 story building containing 60 dwelling units for the elderly with parking provisions for 12 automobiles to National Development Corporation on property located on the easterly side of NIAGARA STREET south of CRAIG AVENUE and identified as Lots No'd. 174 and 175, Block 28-P in Allegheny County Block and Lot System, 4th Ward" by deleting Lot No. 175 and inserting Lots No'd. 176 and 220. **—(SPONSORED BY MR. ROBINSON)**

Also,

No. 1719 An Ordinance supplementing the Pittsburgh Code, Title One - Administrative, Article IX, Boards, Commissions & Authorities, by adding Chapter 177, ECONOMIC DEVELOPMENT COMMISSION. **— (SPONSORED BY MR. ROBINSON)**

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Also,

No. 1720 Resolution approving a Conditional Use under Section 993.01(a)A(44) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 as amended, for occupancy of 412 N. NEVILLE STREET as a Group Care Facility for 12 juvenile dependent/delinquent males with adult supervision, operated by Alternative Program Associates, 4th Ward.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Wagner presented

No. 1721 Resolution providing for the issuance of a warrant in favor of Amaral & Neumeyer, Inc. (Fred Neumeyer, President), in the amount of $7,500.00, in payment for an Emergency Contract for the removal of asbestos material existing within the Oliver Bathhouse, 10th and Bingham Streets, Pgh., PA 15203, payable from Code Account LB 84-10, 4-13-95-0001-84, Renovations of Public Buildings, Index Code No. 352757.

Which was read and referred to the Committee on Finance.

Mr. Woods presented

No. 1722 Resolution increasing the bonded indebtedness of the City by the issuance of General Obligation Bonds in the aggregate principal amount of $21,000,000.00 to provide funds to pay a portion of the cost of the City's Capital Improvement Program, to pay the cost of issuance of Bonds, and to approve, accept, authorize, fix, provide for, establish, pledge, ratify, appropriate, convenant, appoint, and repeal relevant matters.

Which was read and referred to the Commmittee on Finance.

Mr. Woods moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion prevailed.

Which motion prevailed.

Also,

No. 1723 Resolution providing for the transfer of funds in the amount of $5,000.00 from Code Account 45, Index Code 004507, Health Insurance, Dept. of Finance, to Code Account 1016, Index Code 101618, Salaries Regular Employees, Office of the Mayor.

Also,

No. 1724 Resolution authorizing the correction of an erroneous deposit of $21,420.22 to the Property Management and Maintenance Program Trust Fund (PMAMPTF) by authorizing the payment of $21,420.22 from PMAMPTF to the Trustee for the Three Taxing Bodies.

Which were read and referred to the Committee on Finance.

The Chair presented

No. 1725 Petition from the residents of North Neville Street requesting a public hearing opposing the group home facility at 412 North Neville Street.

Which was read and referred to the Committee on Planning, Housing and Development.

UNFINISHED BUSINESS

The Chair presents

Bill No. 1446 Resolution approving the reappointment of Arthur Fidel of 5421 Maynard Street, Pittsburgh, PA 15217 to the Zoological Park Commission for a term to expire October, 1988.

Which was read.

Mr. Robinson moved to approve the reappointment.

Mrs. Masloff seconded the motion.

Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 1726

Report of the Committee of Finance for November 7, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1627

A Resolution entitled, "Resolution providing for the transfer of funds in the amount of $65,000.00 from Code Account 1154, Index Code 115410, Rental of Motorized Equipment, to Code Account 1149, Index Code 114900, Tires, Tubes and Chains, Department of General Services; and providing for the transfer of funds in the amount of $35,000, Code Account 1154, Index Code 115410, Rental of Motorized Equipment, to Code Account 1126-1, Index Code 112615, Premium Pay, Department of General Services."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1631

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Fireforce, Inc. P.O. Box 33, Gibsonia, Pennsylvania, 15044, in the amount of $100,763.00, in payment of air compressor, air bottles, and air masks for the Department of Fire, without previous authority of law."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1632

A Resolution entitled, "Resolution transferring the sum of $170,000.00 from Code Accounts within the Department of Fire as follows: $5,000.00 from Code Account No. 14633, Index No. 146308, Miscellaneous Services, to Code Account No. 1464, Index No. 146407, Supplies and Materials; $150,000.00 from Code Account No. 1461, Index No. 146100,

Salaries and Wages, Regular and Temporary Employees, to Code Account No. 1461-1, Index No. 146118, Premium Pay; $15,000.00 from Code Account No. 1461-1, Index No. 146100, Salaries and Wages, Regular and Temporary Employees, to Code Account No. 1461-2, Index No. 146126, In-Grade Pay, Department of Fire."

Which was read.

Also,

Bill No. 1633

A Resolution entitled, "Resolution transferring three hundred thousand dollars ($300,000.00) from Code Account 45, Index Code 004507, Health Insurance, Municipal Employees, Department of Finance and three hundred thousand dollars ($300,000.00) from Code Account 44, Index Code 004408, Workmen's Compensation Fund, Department of Finance to Code Account 1470, Index Code 147009 Purchase of Uniforms, Department of Fire."

Which was read.

Also,

Bill No. 1642

A Resolution entitled, "Resolution further amending Resolution No. 21, effective February 9, 1984, as amended by Resolution No. 69, effective February 24, 1984, entitled, 'Providing for the issuance of a warrant in favor of Noralco Corporation, in the amount of $440,625.00, in payment for an Emergency Contract furnished for the benefit of the City in connection with the E. Sycamore Street Hillside Stabilization, including necessary work on private property and other work incidental thereto; and providing for the payment thereof', by increasing the amount of the warrant to be issued by $36,992.02."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1651

A Resolution entitled, "Resolution providing for the issuance of a $1,060.00 warrant in favor of Ronald W. Nestor in settlement of claim for vehicle damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1687

A Resolution entitled, "Resolution transferring two hundred and twenty five thousand dollars ($225,000.00) from Code Account 41, Index Code 004101, Refunds-Real Estate Tax, Department fo Finance to Code Account 30, Index Code 003004, Refunds-All Other Taxes, Department of Finance."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

Bill No. 1727

Report of the Committee on Public works for November 7, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 904A

A Resolution entitled, "Resolution vacating Shakespeare Street from relocated Shady Avenue to the easterly side of Vose Way, Vose Way from Penn Avenue to Shakespeare Street and Melmore Way from relocated Shady Avenue to the southerly boundary of Block and Lot No. 84-G-223, expecting and reserving an easement for the 15 inch sewer line located in Shakespeare Street and Melmore Way in the 7th Ward of the City of Pittsburgh."

Which was read.

Mr. Givens:

On Bill 904A, I ask that that bill be recommitted back into Committee. I think all of us have received a handout from the Bloomfield/Garfield Corporation where they were trying to work out some agreement with Giant Eagle and ran into some type of an impasse with them. By putting it back into Committee I think we have to discuss what's happening in our other neighborhood shopping stores out there. We don't want to pit one neighborhood against another neighborhood and I think

some way or another the Giant Eagle can work out their differences with this particular neighborhood as they have with the people in East Liberty where they built a nice facility out there. So, I ask that we put this in Committee and discuss it.

The Chair:

Is there a second? Hearing no second, the motion fails.

Mr. Givens:

Hold it. Did everyone get what I'm trying to say? Bill 904A is the Giant Eagle vacating of property in their existing parking lot in their East Liberty store which is a fine store. However, there are certain problems within the Bloomfield/Garfield Giant Eagles, certain amenities that are happening in that store that are so indicated in this handout that they just gave us and it has been on-going. Some Councilmembers have attended those particular meetings. Last night they did have a meeting with the Giant Eagle people, there was an impasse and as a result I think the neighborhood just needs more time to work out their agreements with the Giant Eagle Corporation. Hopefully this Council will give them that time.

In all fairness to that neighborhood as to any other neighborhood, I don't care if it's Bloomfield/Garfield, if it's Carrick, if it's North Side, the Oakland store or anything. I think they're trying to work something out here and they need this Council to give them that time.

Michelle Madoff seconded the motion.

Mr. Wagner:

Discussion. Will this come up in Committee tomorrow so hopefully we can have this resolved by next Monday?

Mr. Givens:

Yes.

The Chair:

If the Chair may offer a point, Bloomfield/Garfield has been one of our responsible areas and while I would not like it to seem like they're leaning heavy on these people I think what they're attempting to do is to get a business functioning with the ability to function so that that community and that business can move forward. I think we ought to give them the opportunity to be heard again on it.

WHICH MOTION PREVAILED.

Also,

Bill No. 1623

A Resolution entitled, "Resolution providing for the purchase of certain property on Pennsylvania Avenue from Michael J. and Emilie Casiglio, Pauline Singer, Contractors Equipment Service Company, and Eugene's Bar, for street improvements and other public purposes, in lieu of condemnation, in the 25th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1624

A Resolution entitled, "Resolution accepting the Dedication of Brighton Woods Road as shown on the Northgate Redevelopment Area No. 35 Plan (Contract No. 2) in the Twenty-Seventh (27th) Ward of the City of Pittsburgh, by the Urban Redevelopment Authority for highway purposes, opening and naming

the same, fixing the width and position of the roadway and sidewalks, and accepting the grading, paving, curbing and sewers thereof."

Which was read.

Also,

Bill No. 1625

A Resolution entitled, "Resolution granting unto the Park Building, 255 Fifth Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Skylight Marquee over a portion of the sidewalk of Smithfield Street in the 2nd Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

Bill No. 1728

Report of the Committee on Planning, Housing and Development for November 7, 1984 transmitting two ordinances and one resolution with an affirmative recommendation.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1600

An Ordinance entitled, "An Ordinance amending the Pittsburgh City Code, Titile I - Administrative, Article IX - Boards, Commissions and Authorities, Chapter 174 - Vacant Property Review Committee - 174.01 Creation and Powers." (AS AMENDED IN COMMITTEE) (SPONSORED BY MR. ROBINSON)

Also,

Bill No. 1605

A Resolution entitled, "Resolution approving the procedures for the administration of UDAG/HODAG grants as submitted by the City Solicitor and provided for in Resolution No. 1065 of 1983 as amended by Resolution No. 722 of 1984." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 1511

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No.

11, by changing from "M2" Limited Industrial District to "R4" Multiple-Family Residence District all that certain property located on the southerly side of Centre Avenue between South Negley Avenue and Penn Circle West bounded by Centre Avenue, Lot No. 316, Block 84-E in the Allegheny County Block and Lot System, the "R4" Zoning District boundary line located between Centre Avenue and Pierce Street, Lot No. 291, Block 84-E in the aforesaid System, 7th Ward."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 1729

Report of the Committee on General Services for November 7, 1984 transmitting sundry resolutions to Council.

Which was read, recieved and filed.

Also, with an affirmative recommendation,

Bill No. 1628

A Resolution entitled, "Resolution amending Resolution No. 472, approved June 5, 1984, entitled, 'Providing for the letting of a contract or contracts, or for the use of existing contracts, for the furnishing and delivery of Computer Workstation Furniture for the Bureau of Information Systems, Department of the Mayor, Code Account Number 1045, Index Code 104505, Equipment, and for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1634

A Resolution entitled, "Resolution repealing Resolution No. 877, approved October 11, 1984, effective October 18, 1984, entitled: 'Providing for letting of a contract or contracts for the furnishing and delivery of the following: 100 ea. MSA Low pressure 2216 PSIG, fully wound Composit II cylinders, 45 cu. ft. capacity complete with valve; 40 ea. MSA High pressure 4500 PSIG, fully wound composit cylinder 45 cu. ft. complete with valve; 60 ea. MSA High Pressure 4500 PSIG fully would composite cylinder, 88 cu. ft. complete with valve; 23 ea. MSA Pressure Demand Air Mask (SCBA) 4500 with 30 minute composit air bottles, nose cups, and neck strap accessory; and 1 each Eagle Air Compressor, Model 5000-20, 5000 PSI, 45 CFM, and/or with trailer mount, for the Department of Fire, Code Account No. 1468, Index No. 146803, and for the payment thereof."

Which was read.

Also,

Bill No. 1635

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of the following: Turn-out Firefighter Coats; Turn-out Firefighter Trousers; One-half Length Firefighter Boots; Cairns 660C Metro Model Firefighter Helmets; and Firefighter Gloves for the Department of Fire, Code Account No. 1470, Index No. 147009, and for the payment thereof."

Which was read.

Mr. O'Malley:

If I might, on Bill 1635 I'd like to make an amendment. This concerns the discussions that members of Council had about the Fire Department last Wednesday and doing everything possible to insure the safety of our firefighters.

This bill as it stands supplies what they call turn-out firefighter trousers which are the heavy, over the trousers, rubber insulated pants and also the one-half firefighter boots.

What I'd like to do is amend the legislation to include two additional pieces of equipment. The reason for that is, these turn-out firefighter trousers are adequate in the wintertime because they retain body heat but they're not adequate in the summertime when your firefighters are fighting fires in July and August and September when the temperature is in the '80s. What this does is retain body heat and exposes our firefighters to fatigue or heat stroke.

So, I'd just like to include two additional pieces of clothing in this piece of legislation and I'd like to have it read, "and firefighter resistent trousers" and that will be inserted after "turn-out firefighters trousers", then the amendment, "and firefighter resistent trousers"; and also "one-half and three-quarter length firefighter boots", and the amendment will be "three-quarter length firefighter boots".

Mr. Robinson seconded the motion.

Mr. Givens:

Jim, I assume you've talked to the firefighters, the people who are going to be using this equipment.

Mr. O'Malley:

I've talked to Bernie Burns right after the Wednesday session and he's the one that made these recommendations that I agree with. What it does is just give the firefighters a second set of adequate clothing in the summertime and a set for the wintertime.

I also discussed the legislation with Charlie Lewis and Charlie Lewis is in full agreement that the men need the equipment.

I also discussed it with the Mayor and the Mayor is in favor of it also.

Michelle Madoff:

There's a little item missing. Where's the money coming from? I would suggest that you let this bill pass as it is, introduce another bill next week and get your new allocation because you can add on new equipment as a separate bill. That way you don't hold this bill up.

Mr. O'Malley:

That was discussed and I brought that very point up, Michelle, because I agree with you. The thinking on this, they're not sure exactly how much money

is going to be needed and they would rather go out on bid now for all the equipment and if they need additional funds, just come back and ask for additional funds.

Michelle Madoff:

I don't care; I just want to make sure you have the money for it.

WHICH MOTION PREVAILED.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

Bill No. 1730

Report of the Committee on Parks and Recreation for November 7, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1630

A Resolution entitled, "Resolution amending Resolution No. 541, approved June 24, 1984, entitled: 'Authorizing the Director of the Department of Parks and Recreation to implement a Children's Fingerprint Identification Program, and providing for the payment of the cost thereof, in an amount not to exceed $3,000.00, and transferring the sum of $3,000.00 from Code Account 10, Accounts Payable Prior Years, to Code Account S.P.P. (Special Parks Programs Trust Fund),' by increasing the appropriation from $3,000.00 to $5,000.00." (SPONSORED BY MRS. MASLOFF)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. O'Malley presented

Bill No. 1731

Report of the Committee on Public Safety for November 7, 1984 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 961

An Ordinance entitled, "An Ordinance amending Title Ten, Pittsburgh Code by prohibiting use of plastic pipe in duct work, electrical work and plumbing." (AS AMENDED IN COMMITTEE) (SPONSORED BY MR. WOODS)

Which was read.

Mr. Woods:

On Bill 961, I had this gut feeling that perhaps I don't have my six other colleagues to go along with me today to pass this bill so I would like to make a motion to recommit back into Committee until next Wednesday so we can discuss it a little further.

Mr. Robinson seconded the motion.

Mr. O'Malley:

I'd like to read into the Record pertaining to Bill 961 a letter from the Solicitor, Mr. Dan Pellegrini concerning Bill 961. This is a letter requesting the legality of this bill.

It states, "As you requested, an opinion to the legality of Bill No. 961, as amended, which prohibits the use of combustible pipes and ducts and pipe shafts, a rigid non-metalic conduit and electrical installation." —

Mr. Grabowski:

Mr. President, point of order. I think the only thing before us is the motion. I think Mr. O'Malley is out of order.

The Chair:

I don't know where he's going yet so I can't really tell if he's on target or off target.

Mr. O'Malley:

The reason for the recommitment, I believe, was an opinion from the Solicitor.

Mr. Grabowski:

We could discuss that at —

Michelle Madoff:

I'd like to hear the opinion. I haven't seen it.

Mr. O'Malley:

I would like to have the letter read into the Minutes.

"No legal impediment appears to exist for the prohibition of combustible pipes and ducts and shafts as set forth in Section 410-4 because it is obviously related to prohibiting fires in these shafts and ducts. However, Section 2000.3 dealing with electrical insulation standards uses terms prohibits rigid non-metalic conduit which would prohibit conduit, i.e. fiberglass, which may be non-combustible. Because of the reasoning behind the terminology used in this section is not clear, it is suggested that it be amended to also read non-combustible if the reasons behind the enactment were fire safety.

Because the elimination of Section 2200-1, the bill which prohibits use of plastic pipe and plumbing systems, the scope of the bill has been drastically altered. It is suggested that the bill refers back to the Board of Code Review for evaluation."

I agree and I just want to state that I think the safety of our residents and our firemen are of the utmost importance to members of this City Council. I agree with the Solicitor that it should be referred back for further study.

Mr. Woods:

I want to make this perfectly understood. My motion is to recommit to Committee. I do not intend ever to send it back to the Board of Code Review. My motion, and it was seconded, was to send it back to Committee only.

The Chair:

The Chair recollects that's what you said.

Mr. O'Malley:

Could you repeat that, Councilman?

Mr. Woods:

My motion was to recommit to Committee, not to the Board of Code Review.

Michelle Madoff:

Clarification. I just spoke with my colleague and I understand, and I don't know where this information is printed or carved but it must be somewhere and I wonder if the Parliamentarian can clarify it, we need seven votes. Why do we need seven votes?

Mr. O'Malley:

It's illegal, Michelle, the way it's written.

Mr. Woods:

It's not illegal.

Michelle Madoff:

Hold on a minute. I want to know why we need seven votes.

The Chair:

Because it was disapproved by the Board of Code Review. The required votes at this point is increased to seven, or two-thirds.

Michelle Madoff:

Just one minute. The Board of Code Review are a very vested interested body that are there because they have expertise in certain matters.

The Chair:

Whatever it be, the procedure says if they reject it you must have the increased voting to override.

Michelle Madoff:

For the record, I would hope that the plastic pipe would be the first issue that this Council would look at and then we'd start looking at all the toxic fume kind of pillows and facilities that could generate the same kind of toxicity. This will be the first step in the right direction so that people on this Council do not say that plastic pipe really is just one part of the issue.

The reason I'm raising it now, Mr. President, is that the proposer of the bill might want to, since the Board of Code Review is playing hardball, why don't we just say we're going to play hardball too. We'll not only review plastic pipe but we'll review everthing that's of toxicity.

Mr. Givens:

If I might, Mr. President, I would ask the sponsor of this bill to withdraw his motion to recommit. We sat here for five hours and listened to testimony going back and forth; we've been lobbied on both sides as has been so indicated here. I've made my firm commitment based on the information that was given to me. Nothing that has been submitted here today is new to this Council. Nothing. As a result, you have to cut bait right now. If we're to put this back into Committee we're just going to open up the wounds that should be in the process of being healed right now. I feel this is bad for this Council and it's going to be a detriment to the proposal that's already been before us that we've made a preliminary commitment on and if people have not made up their minds which way to go I think it's now time for them to make that decision to cut bait. That is the time that is before us right now. To put this back in Committee, there's no new testimony that's going to come out of there that already hasn't been told to us. I don't want to sit around for another five hours and listen to the debate go back and forth. I'm ready to vote on this issue today and I ask the sponsor of this bill to put this bill forward. I think everyone on this Council had an opportunity to hear —

Mr. Woods:

Mr. Chairman, in response to Mr. Givens' request, there's no one who wants this bill acted on more than I do today. But when it is acted on I want it acted on in a favorable manner.

Mr. O'Malley:

It's illegal.

Mr. Woods:

It's legal; that's not an issue. But at this point I don't think that we have seven votes, Dick, and that's why I'm asking.

May I have a five minute recess?

Michelle Madoff seconded the motion.

Mr. Robinson:

Mr. President, before the recess if I might. I wasn't going to say anything but I feel compelled to do so.

I think it's rather obvious that we're overlooking a procedural matter and I was hoping that Mr. Woods was recommitting the bill because of that procedural matter. That procedural matter relates to the Board of Code Review. This bill, once it was amended, should have gone back to the Board of Code Review. The bill did not go back to the Board of Code Review. Unfortunately, Mr. Pellegrini suggested, I assume out of deference to Mr. Woods, that we send the bill back to Committee, send it back to the Board of Code Review.

I think if we have the Solicitor check on this for us before we take any final action we'll see that the bill automatically should go back to the Board of Code Review once it was amended and I think that Mr. Pellegrini is giving us, in this instance, some very good advice. As Mr. Woods said, he wants this to be done properly and legally. If it doesn't go back to the

Board of Code Review I think all we're going to do is get ourselves in a lot of trouble.

The Chair:

I'm willing to recess but I would suggest that the maker of the motion back up and punt and wait until Wednesday.

Mr. Woods:

I'll tell you what, I understand what Councilman Robinson has stated and I had asked Danny over the phone if it is mandatory and he said it is not, it is just a suggestion. That was his opinion, it is not in writing.

And on the motion of **Mr. Woods**

Council recessed.

And the time of recess having expired, Council reconvened and there were present:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

The Chair:

This meeting is now reconvened. I have a motion and a second to recommit Bill No. 961. Call the question.

All those in favor? Those opposed?

Mr. Givens:

I am opposed.

The Chair:

Okay, with one opposed, this bill is recommitted.

Mr. Wagner presented

Bill No. 1732

Report of the Committee on Engineering and Construction for November 7, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1643

A Resolution entitled, "Resolution amending Resolution No. 142, effective March 11, 1982, entitled, 'Providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the Herron Hill Reservoir Leak Study; and providing for the payment of the cost thereof;' by decreasing the total project allocation by $925.39."

Which was read.

Also,

Bill No. 1644

A Resolution entitled, "Resolution amending Resolution No. 143, effective March 11, 1982, 'entitled, 'Providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the Blessing Street Landslide Reconstruction; and providing for the payment of the cost thereof', by reducing the total project allocation by

One Thousand One Hundred Sixty One Dollars and Twenty Cents ($1,161.20)."

Which was read.

Also,

Bill No. 1645

A Resolution entitled, "Resolution further amending Resolution No. 1210, effective January 1, 1984, as amended, entitled, 'Resolution adopting and approving the 1984 Capital Budget and the 1984 Community Development Block Grant Program; and approving the 184 through 1988 Capital Improvement Program', by increasing a line item and by adjusting the Summary Totals."

Which was read.

Also,

Bill No. 1646

A Resolution entitled, "Resolution amending Resolution No. 692, effective August 21, 1984, entitled, 'Providing for an Agreement or Agreements for Architectural Engineering Services and a Contract or Contracts, including the use of existing Contracts for construction of the No. 29 Fire Station on Noblestown Road - (formerly No. 10); and providing for the payment of the costs thereof,' by increasing the total allocation by $50,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1647

A Resolution entitled, "Resolution repealing Resolutin No. 139 of 1982, entitled, 'Providing for a Contract or Contracts for waterline work in conjunction with the Repaving of Grant Street between Liberty Avenue and 6th Avenue and the Repaving of Liberty Avenue between 10th Street and 12th Street - Phase I, and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 1648

A Resolution entitled, "Resolution repealing Resolution No. 680 of 1983, entitled, 'Providing for a Contract or Contracts for Waterline Relay in conjunction with the Reconstruction of the Pennsylvania Avenue Bridge and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 1649

A Resolution entitled, "Resolution repealing Resolution No. 758 of 1983, entitled, 'Providing for a Contract or Contracts for Cleaning and Cement Lining of the 42-1/2 inch and 42 inch Water Main in Butler Street and providing for the payment of the cost thereof'."

Which was read.

Also,

Bill No. 1650

A Resolution entitled, "Resolution repealing Resolution No. 759 of 1983, entitled, 'Providing for a Contract or Contracts for Painting of the Herron Hill and Squirrel Hill Water Tanks; and providing for the payment of the cost therein.'"

Which was read.

Mr. Wagner:

In regard to Bill Nos. 1647, 1648, 1649 and 1650, they all pertain to repealing legislation from the Capital Improvement Program, dollars that were originally allocated towards various projects. The purpose for repealing is for the new Water and Sewage Authority to finance these various projects. I have no problem in agreeing with that, that the new Water and Sewage Authority should finance those projects.

Something that I want to know and I haven't yet found out is where the $1,935,000.00 from these four bills towards capital projects, where it will be utilized in the future and for what projects.

Today we heard the introduction of legislation for a new bond issue of $21 million. These dollars are from a previous bond issue. I do not know if this bond issue has been reduced $1,935,000.00 to accommodate these additional dollars that are going back into the budget. I'm not sure if it will be used for debt service; I'm not sure of a lot of things and for that reason I am suggesting that these four bills be recommitted.

Michelle Madoff seconded the motion.

Which motion prevailed.

Also,

Bill No. 1684

A Resolution entitled, "Resolution amending Resolution No. 294, effective April 24, 1984, entitled, 'Providing for an Agreement or Agreements with Robert W. Hunt Company (Daniel V. Biank, P.E., General Manager) for Professional Engineering Services in connection with the Steel Inspection for the Bloomfield Bridge, Phase III; and providing for the payment of the cost thereof', by providing for a Supplemental Agreement or Agreements and increasing the project allocation by $105,000.00."

Which was read.

Also,

Bill No. 1685

A Resolution entitled, "Resolution amending Resolution 1110, effective December 20, 1983, entitled, 'Providing for a contract or contracts, including the use of existing contracts, for construction in connection with renovations to No. 5 Police Station; and providing for the payment of the cost thereof', by increasing the project allocation by $50,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Robinson:

Mr. President and members of Council, just three quick items if I might.

The first deals with the issue of the divestment legislation that's presently before Council, that's Council Bill 1504, 1505, 1506, 1507, 1508 and 1509. Council had requested that the City Solicitor provide us with a legal opinion and I'd like the City Clerk, if he would be kind enough, to request that the Solicitor get us those opinions on those bills just as quickly as possible.

Also, for those who are interested, the legislation that was passed in the City of Philadelphia is available, if you would like to take a look at that, and also I think it's very important that Council support an impact study which would allow us an opportunity to get some professional assistance to determine what would be the financial impact on the City if all six of these bills or any one of these bills were to be passed. The task force on investment policies and business practices has been authorized to spend $5,000.00 for technical assistance and I would hope the Council would continue to give us your support as we attempt to find someone to conclude the impact study.

The second issue relates to the proposed $21 million bond issue. As Council is aware, we had requested that the Solicitor provide us with an evaluation of the URA's performance under a previously pass resolution, Resolution No. 725 of 1984, which authorized the URA to go out on bond issue for roughly $25 million to finance some housing. I don't believe that that evaluation is yet in our hands and I would hope that the City Clerk would also be able to get hold of the Solicitor and ask him if he would be kind enough to provide us with that evaluation prior to us considering the $21 million bond issue.

The third item deals with the issue of economic development. A lot has been said over the last few days about economic development in the City but I've heard little or nothing about development around the Hill District and the Civic Arena. This is an area which, over the last five or six years, unfortunately has been neglected. Given the fact that there are limited public dollars available and the fact that there are many projects competing, it seems to me that at some appropriate time we should get an assessment as to whether or not development is going to occur in the Hill and around the Civic Arena and

whether or not we shouldn't consider a HODAG or UDAG to stimulate that growth.

I recognize that there are other members of Council that have interests in other parts of the City, be it Lawrenceville or North Side or South Side, but I think it is appropriate for us to pay some attention to developing the only portion of the Triangle that has yet to have any substantive plan or any substantive action and that's the Hill District. We are applying for HODAGs and UDAGs all the time but we have yet to apply for a HODAG or a UDAG to stimulate development in the Hill District area.

As Council is aware, there is an option on some land adjacent to the Civic Arena which is held by the Edward DeBartolo Corporation. While that option is not up, it seems to me that we should request some opportunity to interface with the DeBartolo Corporation and the URA to see if there's anything that we can do to help stimulate growth in the Hill District area.

I hope that as this Council begins to consider some of the proposals that the Mayor has made, that the Allegheny Conference has made, and as others I'm sure will make, that we will not forget substantive development in the Hill District and substantive adjacent to the Civic Arena.

Thank you.

Michelle Madoff:

I think many of us and I certainly was very surprised at the Mayor's budget and very pleased at what came out today. We're going into budget hearings and I would like to propose that this Council, during its deliberations, consider that any funds that come in in addition to the $14 million surplus, or perhaps we might find that we need $16 million in order to budget next year's budget, that those monies be used to reduce some of the taxes and the burden on the people of this City.

It has come to my attention and to my horror that the real estate agents are telling people not to come in to the City, not to locate in the City because of the four percent wage tax and to move out to the suburbs.

Now, we can say that ultimately people are going to come back to the City but we have really no incentive when we have regressive taxes. In a sense, the City it still overtaxed and every now and again we seem to get a windfall from some real estate development. I would hope that those monies would be considered for decreasing our debt which is well over $1 billion now and for a population just over 400,000 I think that is very very dangerous.

The other thing I would like to propose is that, and it's not a budget matter but it's something that concerns every one of us, every day we pick up the paper in the last few weeks and there seems to be a dichotomy between the Controller's Office and the Administration. This Council should not be put in the position of being dupes, that we didn't know what was going on. In other words, ignorance of the law is no excuse. We should not be put in the position by either the Administration giving us information just before they go to the media, or the position of Mr. Flaherty, Controller, going to the media before this Council and the Administration has a chance to look at the information.

I certainly would not support the

proposed resolution but I do not know if Mr. Woods submitted today or whether he was going to make it orally from the floor or he's planning to submit, on curtailing any method that anybody wants to give information out, but instead to be productive.

What I would like to suggest is that we find money in this year's budget — I've already spoken to the Mayor about it — and we get an efficiency expert into this City, efficiency expert firms, into the City to go over every single department. The Mayor seems to feel, in my discussions with him, that he had to spend the time stablizing the City, stablizing the taxes, and that now he is prepared for one to look at the issues that I've been very concerned about; that is, getting suburbanites to start paying some of their fair share through a user tax. He's told me that he's going to see and look into seeing that the suburbanites pay for the Zoo at a higher rate than City residents, which is only fair since the City residents are paying for it three times. We pay for the Zoo when we go, we pay in the debt service on capital improvement, and we pay again in our taxes for the services we give to the suburbanites. Suburbanites do not object to paying user fees so that's one step in the right direction.

Having an efficiency expert go through each and every department to start to find out what many of us already know. For example, last night Mr. Wagner and I attended a meeting in Shadyside along with many of the members of the Water Authority to discuss — an informational meeting — with the League of Women Voters on the Water Authority and what's going to happen. It was very gratifying to me to find out that everything that I've been asking for for six years, covers for the reservoirs, some extra chlorination at the other end before it's released to the public for consumption, inspectors to guard our water so youngsters aren't swimming in it and giving us ecoli in our water which is dangerous. All these things are going to be addressed and it was stated that the reason these things were not done was for political considerations, that everybody sort of pushed this aside, it was not a politically positive thing to support if somebody brought it up in Council.

I think we've got to get out of this business of fighting each other and start working together for the good of this City which has a lot of problems. I don't think any of us would say that this City is in a situation of having recovered as perhaps some other cities have.

To that end, I would like to see that monies are set aside in this year's budget to go through what I believe the Water Authority is going to do, review every department so that for example, when you apply to have your water connected to your house there would be a card that says that you are a resident and not a commercial industrial development and it gives your block and lot number so that you can get your tap-in and you can get your meter and you can start getting billed for water, which was one of the problems in the Water Department.

I think Controller Flaherty is going to uncover many things that we as City Councilmembers cannot possibly know about and, as the Mayor said to many of us this morning, he can't know everything that's going on in the City.

The first year I was here, I can go back and get my proposal, I suggested to this Council that we have efficiency experts go through every department in the City so that we're not accused of loading it down with patronage, no-shows, and that we indeed want to be as

efficient as possible. That will then force the Controller and the Administration and this Council to work as one and I would hope that that recommendation would be very seriously considered when we go to budget hearings.

Mr. Robinson moved to approve the Minutes of Monday, October 29, 1984.

Mr. Wagner seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Robinson**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, November 19, 1984 No. 45

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, November 19, 1984

PRESENT:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

I would like to announce that this afternoon we are privileged to have the Fifth grade class of Hillel Academny in Pittsburgh. The teacher is Mrs. Judith Klaskin. I understand they met with Councilwoman Sophie Masloff prior to this meeting. They will be viewing City Council and later as I understand they will be meeting with the Mayor. You are all welcome.

On another matter, the reason Mr. Givens is not present at this time is because of a death in his family, that of his brother Donald.

PRESENTATIONS

Mr. Givens presented

No. 1733 Resolution granting unto Equitable Gas Company, their successors and assigns, the privilege and license to construct, maintain and use, at their own cost and expense, a gas regulator and fence in a portion of the roadway of Edith Street in the 19th Ward of the City of Pittsburgh.

Also,

No. 1734 Resolution granting unto G.D. Ritzy's, Inc., their successors and assigns, the privilege and license to construct, maintain and use, at their own cost and expense, a sidewalk access door in a portion of the sidewalk at 210 Forbes Avenue in the 2nd Ward of the City of Pittsburgh.

Also,

No. 1735 Resolution vacating Banksville Avenue (Old Banksville Road) from McMonagle Avenue to the Mt. Lebanon Township and Dormont Borough-Pittsburgh City line, excepting and reserving an easement for the 8-inch

sanitary sewer line located in the 20th Ward of the City of Pittsburgh.

Also,

No. 1736 Resolution vacating College Street from Centre Avenue to the Pennsylvania Railroad (Conrail) property, excepting and reserving easements for the 6 inch waterline and the 54 inch and the 30 inch sewer lines located in the 7th Ward of the City of Pittsburgh.

Also,

No. 1737 Communication from Louis R. Gaetano, Director, Department of Public Works, requesting authorization for Brother Richard Emenecker, to attend a seminar on the Cable Communications Policy Act 1984, in Washington, D.C., on December 3, 1984, at a cost not to exceed $410.00, payable from the Community Communications Trust Fund (CC).

Which were severally read and referred to the Committee on Public Works.

Mr. Grabowski presented

No. 1738 Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the purchase and delivery of Two-Way Portable Radio Equipment for the Dept. of General Services, at a cost not to exceed $10,000.00, chargeable to and payable from Code Account 4-30-01-0001-83, Index Code 370106, Miscellaneous Equipment, Various City Departments, Department of General Services.

Which was read and referred to the Committee on General Services.

Michelle Madoff presented

No. 1739 Resolution authorizing Pittsburgh City Council to create a position in the 1985 Budget for an individual whose sole duty will be to solicit funds from the corporate and private sectors, for the purpose of obtaining revenue for grants and donations for well-deserving non-profit, educational, and/or cultural groups which have previously relied on the City of Pittsburgh for funds. —(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Finance.

Mrs. Masloff presented

No. 1740 Resolution transferring $12,000.00 from Code Account 1830 (Index Code 183004), Salaries, Regular Employees, Bureau of Recreational Activities to Code Account 1832 (Index Code 183202), Wages Temporary Employess, Bureau of Recreational Activities in the Department of Parks and Recreation.

Which was read and referred to the Committee on Finance.

Mrs. Masloff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Also,

No. 1741 Resolution providing for authorization to enter into an Agreement or Agreements with various contractors for services in conjunction with the 1985

Pre-School Program, at a cost not to exceed $23,000.00, chargeable to and payable from Special Parks Program Trust Fund (SPPTF), Index Code 254359, Department of Parks and Recreation.

Also,

No. 1742 Resolution authorizing the transfer and trade of ownership of the City of Pittsburgh's right, title and interest of the property located at Craft Avenue and Niagara Street, 4th Ward of the City of Pittsburgh, being Block 28-P-165, known as the Niagara Playground Property to National Development Corporation, for the sum of $1.00 plus all necessary and incidental expenses, in exchange for a Deed for a parcel known as Block 28-P-164, 163 & 162, being properties located at Craft Avenue and Niagara Streets, and construct a new playground facility, and to rehabilitate the City property known as the Ophelia Street Basketball/Playground property.

Also,

No. 1743 Communication from Councilwoman Sophie Masloff, requesting authorization for Loretta Miller, to attend the conference on Managerial Techniques for Administrative Assistants to be held in Pittsburgh, at the Pittsburgh Hyatt, on December 7, 1984, at a cost not to exceed $165.00, payable from Code Account No. 1001-1.

Also,

No. 1744 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting authorization for Rupert Friday to attend a conference sponsored by the Pennsylvania Alliance for Environmental Education in Philadelphia, PA, on November 9-11, 1984, at a cost not to exceed $85.00, payable from Code Account FPTF, Frick Park Trust Fund, Bureau of Recreational Activities, Department of Parks and Recreation. Permission is also requested for use of a City vehicle. Prior approval granted by Council, November 1, 1984.

Also,

No. 1745 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting authorization for Betty Weber to attend the Southern Regional USTA Tennis Workshop and Tennis Industry's National Buying Show in Miami, FL, January 5-8, 1985, at a cost not to exceed $600.00, payable from the Special Parks Program Trust Fund, Department of Parks and Recreation, Bureau of Recreational Activities.

Also,

No. 1746 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting authorization for Barbara Balbot to attend the Creative Arts and Envioronment Workshop in Dingmans Ferry, PA, December 7-9, 1984, at a cost not to exceed $100.00, payable from Code Account FTPF, Frick Park Trust Fund, Bureau of Recreational Activities, Department of Parks and Recreation.

Also,

No. 1747 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting authorization for Kenneth Billin to travel to the Island of Grant Turks in the Caribbean to stay at the Smithsonian Research Facility and participate in field research from December 15-22, 1984, at no cost to the City of Pittsburgh. Prior approval granted by Council, October 31, 1984.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 1748 Resolution transferring the sum of $3,000.00 from Code Account No. 1461, Index No. 146100, Salaries and Wages, Regular and Temporary Employees, to Code Account No. 1461-3, Longevity, within the Department of Fire.

Which was read and referred to the Committee on Finance.

Mr. Robinson presented

No. 1749 Resolution providing for the filing of an application by the City of Pittsburgh with the U. S. Department of Housing and Urban Development for a grant in connection with the Manchester/Calbride Housing UDAG Project; providing for the execution of a grant agreement and related documents, and for the filing of requisitions and other data, approving the Manchester/Calbride Housing UDAG Project, providing for required assurances, providing for the execution of payment vouchers on letter of credit and for certification of authorized signatures, creating a special trust fund in connection with the project, and providing for the deposit of the funds in the bank account.

Also,

No. 1750 Resolution providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the Motor Square Place UDAG Project, providing for the execution of a grant agreement and related documents, and for the filing of requisitions and other data, approving the Motor Square Place UDAG Project, providing for required assurances, providing for the execution of payment vouchers on letter of credit and for certification of authorized signatures, creating a special trust fund in connection with the project, and providing for the deposit of the funds in the bank account.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 1751 Resolution providing for the issuance of a warrant in favor of Carlow College Center for Business Society & Ethics, in the amount of $609.54 for professional services rendered to the Council Task Force on Investment Policies and Business Practices for August thru November 1984, payable from Code Account No. 1001-2 (100123), Services and Salaries of Council, As Needed.
—(SPONSORED BY MR. ROBINSON)

Which was read and referred to the Committee on Finance.

Mr. Wagner presented

No. 1752 Resolution transferring the sum of $350,000.00 from the Unrestricted Cash Account, Department of Engineering and Construction Bond Fund, to the Unrestricted Cash Account,

Department of Public Works, Bond Fund.

Which was read and referred to the Committee on Finance.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Woods seconded the motion.

Which motion prevailed.

Also,

No. 1753 Resolution providing for a License Agreement for entry, construction and maintenance upon the real property of the Port Authority of Allegheny County (Robert McKenzie, Manager, Real Estate and Relocation) by the City of Pittsburgh attendant to the reconstruction and improvement of Grant Street and Liberty Avenue.

Also,

No. 1754 Resolution amending Res. No. 939, eff. 11/7/83, entitled: "Providing for the letting of a Contract or Contracts, or the use of existing contracts, for the 1983-84 Tree Planting Program at various locations within the City of Pittsburgh; and providing for the payment of the cost thereof," by decreasing the total project allocation from $100,000.00 to $99,931.00.

Also,

No. 1755 Resolution authorizing the Mayor and the Director of the Department of Engineering and Construction to purchase, from the General State Authority, certain property situate in the 14th Ward, City of Pittsburgh, for public purposes, at a cost not to exceed $1,500.00 chargeable to and payable from Code Account PW 81-39 (304550), 4-13-30-0300-81.

Also,

No. 1756 Communication from Paul J. McDermott, Director, Department of Engineering and Construction, requesting authorization for Anthony J. Kubit to attend the Annual Meeting of the Institute of Transportation Engineers in New Cumberland, Pennsylvania, on November 8-9, 1984, at a cost not to exceed $250.00, payable from Code Account No. 1482, Misc. Services. Prior approval granted by Council November 13, 1984.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Woods presented

No. 1757 Resolution Repealing Res. No. 949, approved October 31, 1984, eff. November 7, 1984, entitled: "A Resolution authorizing the issuance of a warrant in favor of NBI in the amount of $292.40 in payment for services relative to the re-installation of NBI equipment in the City Clerk's Office, chargeable to and payable from Code Account No. 1003 (100305), Miscellaneous Services, City Clerk's Office.

Also,

No. 1758 Resolution providing for the issuance of a warrant in favor of Jack Wilson in the amount of $5,400.00 for services furnished for the benefit of the City in connection with the Energy Task Force Project, payable from the Energy Task Force Trust Fund within Special Trust Fund No. 2 (252056). Prior approval granted by Council October 19, 1984.

Also,

No. 1759 Resolution providing for an Agreement or Agreements with Ruth Law for stenographic reporting services in connection with public hearings, at a cost not to exceed $1,000.00, payable from Code Account No. 1035, Misc. Services, Commission on Human Relations.

Also,

No. 1760 Resolution amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 246, Home Rule Earned Income Tax, Section 246.02, Imposition of Tax, by changing the rate of tax and by clarifying administrative procedure.

Also,

No. 1761 An Ordinance amending and supplementing the Pittsburgh Code, Title Two, Fiscal Article VII, Business-Related Taxes, Chapter 256, Realty Transfer Tax, Sections 256.02(a), Levy and Rate, and 256.03, Exceptions, by changing the rate of tax and by conforming the Exceptions to amendments of the Enabling Act.

Also,

No. 1762 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 243, Business Privilege Tax, Section 243.02, Tax Levy and Rate, by chaning the rate of tax.

Also,

No. 1763 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 247, Institution and Service Privilege Tax, Section 247.02, Tax Levy and Rate, by changing the rate of tax.

Also,

No. 1764 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 253, Parking Tax, Section 253.02, Tax Levy and Rate, by changing the rate of tax.

Also,

No. 1765 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 241, Amusement Tax, Section 241.04, Amusement Tax Computation, by changing the general rate found in Subsection (a).

Also,

No. 1766 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 245, Earned Income Tax, Section 245.02, Levy and Rate, by changing the rate of tax.

Also,

No. 1767 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 249, Mercantile License Fees and Tax, Section 249.04, Tax Rate, by changing the rate of tax.

Also,

No. 1768 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 251, Occupation Privilege Tax, Section 251.02, Levy and Rate, by changing the rate of tax.

Also,

No. 1769 An Ordinance amending and supplementing the Pittsburgh Code,

Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 255, Realty Transfer Tax, Section 255.02(a), Levy and Rate, and 255.03, Exceptions, by changing the rate of tax and by conforming the Exceptions to amendments of the Enabling Act.

Also,

No. 1770 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article IX, Property Taxes, Chapter 261, Personal Property Tax, Section 261.02, Levy and Rate, by changing the rate of tax.

Also,

No. 1771 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article IX, Property Taxes, Chatper 263, Real Property Tax, Section 263.01, Levy and Rate on Lands and Buildings, by levying the real property tax for 1985. (151-1/2 mills on land, 27 mills - building).

Also,

No. 1772 Resolution making appropriations to pay expenses of conducting the public business of the debt charges thereof for the year beginning January 1, 1985.

Also,

No. 1773 Resolution fixing the number of officers and employees of all departments of the City of Pittsburgh and the rate of compensation thereof for the year beginning January 1, 1985.

Also,

No. 1774 Resolution Adopting and Approving the 1985 Capital Budget and the 1985 Community Development Block Grant Program.

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Woods moved to suspend Rule 8 for all Committees providing for the mailing of printed copies of all ordinances and resolutions to each member of Council at least 48 hours previous to their consideration by Council after the return of such papers from Committee.

Mr. Robinson seconded the motion.

Which motion prevailed.

Michelle Madoff:

Wait a minute. We just read all the bills. How did we get off on that?

The Chair:

It's relative to all these bills. It's that 48 hour deal and because of —

Mr. Woods:

Because of the budget, they're running behind with the budget hearings and the printing. These are the printed copies that are mailed to you over the weekend.

Michelle Madoff:

Mr. Woods, you know that this has happened before the budget hearings. How many times, Mr. Perry?

Mr. Perry:

Michelle, the reason for the delay this time was because of the amendment on the parking lot bill.

Michelle Madoff:

Okay, so there's a real reason for it this time. Thank you. And I will approve it. Finally there's a legitimate reason and it's a good one. Thank you.

Mr. Woods presented

Bill No. 1775

Report of the Committee on Finance for November 14, 1984 transmitting three ordinances and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1544

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Article I, Administrative, Chapter 161.19(b) by adding provisions for membership on the Minority Business Enterprise Review Committee." (AS AMENDED IN COMMITTEE) **—(SPONSORED BY MR. ROBINSON)**

Which was read.

Also,

Bill No. 1546

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Article I, Administrative, Chapter 101.19 Development Proposals; Minority Participation Plan by adding to subsection 161.19(a) (2) and 161.19(a) (3) the words Professional Service Contracts in the appropriate place." **— (SPONSORED BY MR. ROBINSON)**

Which was read.

Also,

Bill No. 1547

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Article I - Administrative, Chapter 161.19(f) and 161.19(G) by adding Procedures." (AS AMENDED IN COMMITTEE) **— (SPONSORED BY MR. ROBINSON)**

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1589

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Laurel Installations and Supply, Incorporated, 111 Roosevelt Boulevard, Johnstown, Pennsylvania 15907, in the amount of $1,835.00 in payment for extra work and return of unused material furnished for the benefit of the City in

connection with City Controller's Contract No. 26868, Installation of large industrial meters by contract; and providing for the payment thereof."

Which was read.

Mr. Grabowski:

Mr. Stone, I would like to make a comment on Bill No. 1589. I'd like to remind Council that this is payment for work that was not completed. In two instances, apparently the Water Department, there was some foul-up in the Water Department,. They were supposed to turn off some valves. They did not fulfil their obligation and consequently this contractor was not able to complete his work. Nevertheless, they are recommending that he be paid. I would think that perhaps the first time we could forgive this but the second time I would think there's a certain responsibility on the contractor's part to contact the department and say, "Listen, you're supposed to be out there to shut that valve off; make sure you're there tomorrow at 8:00" or whatever time. This did not happen.

I could see maybe paying this contractor once for work he didn't complete but not twice and I'm voting against this legislation.

Michelle Madoff:

May I address that since it's my department and I'm familiar with the situation?

What I understand has happened, Mr. Grabowski, because I would vote with you; I think you're absolutely correct. This has come up so many times over the years. The problem is that the Law Department feels that the person would have the right to go to court and sue and the cost to the City would be far in excess of what we're settling for on this extended work that we've done. There was a "misunderstanding" as to what was to be done and who was responsible for what and it was during the transition period, supposedly, but it goes back over a year that the Water and Sewer Authority were being defined. I was at the Pennsylvania ball two years ago and knew who the underwriter was and who the bond counsel was going to be and it was going to be a water authority even though we on Council did not know.

What I'm saying to you is that I agree with you. I'm afraid it will cost us more but we have to be more diligent, as I just pointed out today, in what we pay and we're going to have to ask more questions and the only reason I will vote for this is because I don't think we have any choice.

Mr. Grabowski:

Let me say that the first instance took place, I believe, in December of last year when there was the transition period.

The second instance took place in May or June and we shouldn't have enountered the second problem.

Michelle Madoff:

You're 1000 percent correct and I agree with you. Unfortunately, I don't want to end up, and I think Mr. Stone could tell you as a professional attorney, that we could end up paying a great deal more. If there was some extra work done, we fouled him up, he fouled us up; it's a matter of where are we going to lay the blame and how much will it cost us to go to court.

That's the only reason I'm voting for it. You're right. And I don't like voting for it.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 6 NOES 2

(MR. GRABOWSKI AND MR. ROBINSON VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1669

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Kenneth R.W. Robertson, in the amount of $200.00 in payment for the purchase of rare birds for display at the Pittsburgh Aviary in the Department of Parks and Recreation, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1670

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Sunbird International, in the amount of $2,450.00 in payment for the purchase of rare birds for display at the Pittsburgh Aviary in the Department of Parks and Recreation, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Michelle Madoff:

On Bill 1670, I'd like my comments brought forward from the meeting the other day with reference to the purchase of rare birds in light of the fact that although we talk about the $2,400 being from the trust fund that it's money the taxpayers must pay that we could supplement by having the sale of birds like other zoos and aviaries are doing and selling animals to legitimately to responsible people. I've been told that that has been cleared through the Law Department but there has been a slow moving attitude. We're going to meet

with Louise Brown and as a protest vote I'm personally going to abstain on that particular one.

(BEGINNING - MICHELLE MADOFF'S REMARKS ON BILL NO. 1670 - WEDNESDAY, 11/14/84)

Michelle Madoff:

Louise, how much money have you made from selling birds?

Louise R. Brown
Director
Department of Parks and Recreation:

None.

Michelle Madoff:

Do you know that all of the other cities, all the other zoos are doing it already?

Director Brown:

No, not all of them.

Michelle Madoff:

You told me that you were engaged in a project of that sort and that you've got a ruling now that you can start selling the birds.

Director Brown:

That's correct.

Michelle Madoff:

And I want to know why you haven't done that.

Director Brown:

Number one, from my understanding from Dr. Klack, we don't have any birds at this point to sell. Number two, the policy is to advertise them in AAZPA Magazine so that only reputable facilities will bid on them or call and that takes one and one-half months to get that.

Michelle Madoff:

When did you run the ad?

Director Brown:

I don't know whether it's in yet or not.

Michelle Madoff:

It's really not a priority item for you.

Director Brown:

No, it is not a priority item because our priority is breeding and conserving and caring for the birds.

Michelle Madoff:

And having the birds in excess and a problem for the people at the Aviary because I've talked to them. They were distressed that at some function that neither you or Councilwoman Masloff showed up. I would like to make an appointment with you so that you and Councilwoman Masloff can talk to the people and look at the birds and point out to you perhaps with some of the media people present because obviously you don't want to hear it.

Director Brown:

I think you need to talk to Dr. Klack who is at the Aviary regarding what the goals are and what they have achieved so far.

Michelle Madoff:

I don't want to case problems for people down there and you know exactly what I'm talking about. The people that I've been talking to are as knowledgeable as Dr. Klack, okay.

Director Brown:

I don't know who you're talking about.

Michelle Madoff:

That's the problem and I'm not about to tell you either. We can go down together and we can look and see whether the birds indeed are there and need to be sold and whether there is an excess of birds which would generate some of this money for payment. That was my concern. We are talking about a $200 payment and a $400 payment.

MRS. MASLOFF COMMENTS

Michelle Madoff:

What difference does it make where it's out of?

Director Brown:

Our goal is not for the Aviary to be profit-making by the sale of birds.

Michelle Madoff:

I didn't think it was.

Director Brown:

However, I would certainly be happy to have you come to the Aviary and review it with Dr. Klack.

Michelle Madoff:

Is it your intention that we have a deficit that the taxpayers pay for the Aviary?

Director Brown:

It's not my intention. We always would like to increase the revenues and sales of concessions but not necessarily the sale of endangered species.

Michelle Madoff:

I would hope that you're not implying that Michelle Madoff or any other member of this Council would want to do anything that we felt was immoral by selling birds.

Director Brown:

I think we need to talk about what birds you feel need to be sold.

Michelle Madoff:

The issue is very simple. Other zoos which you admitted to are selling birds which is a source of revenue. The source of revenue at any sort cuts down on the amount of taxes the City of Pittsburgh residents pay with $1 billion debt, four percent wage tax, etc., etc., and some of them are not as fortunate as you and myself in having the income to deal with it. All I'm looking for is for the birds that can be sold, to be sold to responsible people and you're saying that it's not a priority item and I'm saying that any source of revenue that would cut down on the taxpayers' burden is a priority with me and I think the best thing to do — since you don't think it's really serious — and repeatedly people at the Aviary call me and tell me that there is a surplus of birds and they know what they're talking about. They have brought in people from the outside who know what they are talking about. You ought to go down and look and find out indeed if this story is true or not true and the

reason that I'm concerned is that we are putting out $200 and $400 which is coming out of the taxpayers' pie and in one way or another whether it's a trust fund or not, where does all of the money go if you sell the birds, back in the trust fund, and the subsidies become less if there's more money in the trust fund.

(END - MICHELLE MADOFF'S REMARKS ON BILL NO. 1670 - WEDNESDAY, 11/14/84)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES none

(MICHELLE MADOFF ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1671

A Resolution entitled, "Resolution authorizing the transfer of $10,000.00 from Code Account 1800 (180000), Salaries, Regular Employees, Bureau of Administration, to Code Account 1825 (182501) Wages, Regular and Temporary Employees, Bureau of Maintenance all in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 1689

A Resolution entitled, "Resolution transferring the sum of $5,000.00, between code accounts within the Department of the City Controller."

Which was read.

Also,

Bill No. 1691

A Resolution entitled, "Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various wards of the City of Pittsburgh, in accordance with Act No. 514, as amended, and providing for the forfeiture of hand money."

Which was read.

Also,

Bill No. 1692

A Resolution entitled, "Resolution amending Item D of Resolution No. 652, approved August 2, 1984, which authorized the sale of property in the 3rd Ward, located on Colwell Street, designated as Block 11-E-28 and 11-F-31, to Anthony F. Williams and Milton A. Arenson, for the sum of $1,000.00."

Which was read.

Also,

Bill No. 1693

A Resolution entitled, "Resolution

amending Item J of Resolution No. 674, approved August 13, 1984, which authorized the sale of property in the 21st Ward, located at 1318 Colfax Street, designated as Block 22-B, Lot 27 to Vickie Lynn Powers for the sum of $400.00."

Which was read.

Also,

Bill No. 1694

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at a tax sale in accordance with Act No. 514 of 1947 as amended."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1713

A Resolution entitled, "Resolution transferring $10,000.00 from Code Account No. 1932 Utilities, (193201) to Code Account No. 1934 Repairs, (193409)."

Which was read.

Michelle Madoff:

On Bill No. 1713, I would ask that my colleagues pay close attention. How many times have we asked for information from department heads and how many times don't we get it? How many times do we get general kinds of information? Mike Perry is not a crystal ball gazer; he's not a fortune teller. When we get a request for $10,000 and we get the bill which says from Code Account Utilities to Repairs and we don't specify what it is, it sounds fine. It sounds like well, you have to repair some equipment, why would we object to it?

As you know, I questioned Mr. Daryl Smith on it and received a letter and I'd like to share the letter with you.

"With reference to the $10,000 on this particular item, Bill 1713, the request for this transfer of funds is necessitated because of the number of repair expenditures which we have recently experienced. Installation of a new gas service line at our warehouse involved an expenditure of approximately $10,000. Repair to a back-hoe loader is expected to cost in the range of $5,000."

Let me tell you about the back-hoe loader. If you don't remember my bringing it up at least 20 times before. We have a 17 year old back-hoe. We keep repairing it when we could be buying a repossessed one from one of the companies that has gone out of business for about $17,000 which may still be

under warranty.

We are now going to a Water and Sewer Authority. One would think that the Water and Sewer Authority would be using that $5,000 towards the purchase of new equipment as opposed to repairing a back-hoe which has been repaired and repaired and repaired. Or, if we don't repair them we go out and rent them.

If this is a new one, which we don't have time to find out for today, the new back-hoe which we bought last year is defective, I would like to know that. I want to know if it's the same old back-hoe that was 17 years old when I asked about it two years ago that's being repaired.

What I'm pointing out is that we don't get adequate information. We're just window-dressing. They tell us what they want us to know. We're like mushrooms. We're kept in the dark and fed horse manure. I said that before and I'll say it again. I'm tire of it.

I want very specific information, Mr. Perry, and I think other members of Council have indicated the same. The next time someone asks for $10,000 for a transfer, what is it for, what is the item, and if they say back-hoe, which back-hoe? Is it the one bought last year or the one bought 17 years ago? I don't care if you hold the bill a week. If you do it once the next time that information will be forthcoming. I know their making you job, the department heads, a lot easier because you are getting more information, particularly on sale of properties. Isn't that correct? It does make you job easier. Turn them down just once and you'll see how fast — I mean when you get the information in your office if you send it back right away saying, "I don't have enough information to put in the file copy for Council", that would really help us tremendously. I still don't know which back-hoe that is.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

Bill No. 1776

Report of the Committee on Public Works for November 14, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1626

A Resolution entitled, "Resolution granting unto the Ewart Building, 921 Liberty Avenue, their successors and assigns, the privilege and license to construct, maintain and use, at their own

cost and expense, a transformer vault over a portion of the sidewalk at 921-925 Liberty Avenue, in the 2nd Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1667

A Resolution entitled, "Resolution providing for an Agreement or Agreements between the City of Pittsburgh and the County of Allegheny whereby the City of Pittsburgh agrees to to assume ownership and maintenance of the lighting improvements under its jurisdiction on the Windgap Avenue Bridge."

Which was read.

Also,

Bill No. 1697

A Resolution entitled, "Resolution providing for a License to Duquesne Light Company for the installation of, use, operation, maintenance, repair, renewal and finally removal at its sole cost and expense, one (1) anchor, guys and other necessary appurtenances thereto belonging, upon, over, under, along and across certain property of the City of Pittsburgh, fronting on Maridale Street, situate in the 26th Ward, designated as Block 115 C, Lot 341."

Which was read.

Also,

Bill No. 1698

A Resolution entitled, "Resolution providing for a License to Duquesne Light Company for the installation of, use, operation, maintenance, repair, renewal and finally removal of one (1) pole with cables, wires and other necessary appurtenances thereto belonging, upon, over, under, across and through certain property of the City of Pittsburgh fronting on North Lang Avenue, 13th Ward."

Which was read.

Also,

Bill No. 904-A

A Resolution entitled, "Resolution vacating Shakespeare Street from relocated Shady Avenue to the eaterly side of Vose Way, Vose Way from Penn Avenue to Shakespeare Street and Melmore Way from relocated Shady Avenue to the southerly boundary of Block and Lot No. 84-G-223, excepting and reserving an easement for the 15 inch sewer line located in Shakespeare Street and Melmore Way in the 7th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)
AYES 8	NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

Bill No. 1777

Report of the Committee on Planning, Housing and Development for November 14, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1676

A Resolution entitled, "Resolution amending Resolution No. 413, effective May 7, 1982, entitled: 'Providing for an Agreement or Agreements with the Beltzhoover Neighborhood Council and the Urban Redevelopment Authority,' for the rehabilitation of the Beltzhoover Neighborhood Council Office at 407 Gearing Avenue, Pittsburgh,' at a cost not to exceed $125,400.000."

Which was read.

Also,

Bill No. 1677

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 10th Ward of the City of Pittsburgh owned by Chester Frank Kepka and Alma Ann Kepka and designated as Block and Lot 50-L-25C in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1678

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by John Thornton, Reputed Decedant, and Sophie Thornton, his wife, and designated as Block and Lot 23-A-157 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1679

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by George John Alexiades and Mike John Alexiades and designated as Block and Lot 23-G-157 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1680

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 4th Ward of the City of Pittsburgh owned by Emil Niccoli and designated as Block and Lot 29-D-24 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1681

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 11th Ward of the City of Pittsburgh owned by Loretta F. Pennington and designated as Block and Lot 50-M-181 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1718

A Resolution entitled, "Resolution amending Resolution No. 345, approved April 19, 1984, entitled: 'Resolution approving a Conditional Use under Section 993.01(a)A(33) of the Pittsburgh Code, Title Nine, Zoning Article V, Chapter 993 for authorization to construct a 7 story building containing 60 dwelling units for the elderly with parking provisions for 12 automobiles to National Development Corporation on property located on the easterly side of NIAGARA STREET south of CRAIG AVENUE and identified as Lots No'd. 174 and 175, Block 28-P in Allegheny County Block and Lot System, 4th Ward' by deleting Lot No. 175 and inserting Lots No'd. 176 and 220."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 1778

Report of the Committee on General Services for November 14, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1675

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts or the use of existing Contracts for the furnishing and deliver of four (4) V-Notch Chlorinators for the Department of Parks and Recreation, payable from the 1983 Pool Pump and Equipment Program (PR 83-04), Project Number 4-10-03-1354-83, Index Code Number 320853, Department of Parks and Recreation."

Which was read.

Also,

Bill No. 1716

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts or for the use of existing Contracts for the purchase and delivery of Encapsulating Suits for the Department of Emergency Medical Services and for payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

Bill No. 1779

Report of the Committee on Parks and Recreation for November 14, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1672

A Resolution entitled, "Resolution providing for an Agreement or Agreements with an Independent Contractor to provide Professional Services in connection with the Department of Parks and Recreation's Recreational Programs, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. O'Malley presented

Bill No. 1780

Report of the Committee on Public Safety for November 14, 1984 transmitting two ordinances to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1466

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title Seven - Business Licensing, Article VII, Service Business, Chapter 763, Parking Lots, by amending the safety requirements for the licensing and operation of open and enclosed lots." (AS AMENDED IN COMMITTEE) **—(SPONSORED BY MICHELLE MADOFF)**

Which was read.

Michelle Madoff:

I have an amendment, a minor amendment. If everyone will please turn to the second page of the bill, Section 763.04 —

The Chair:

Michelle, are you reading the one we got from the Task Force, that new change that was on our desks?

Michelle Madoff:

This is the one from Paul Imhoff. This is the final bill. They are just two minor bookkeeping corrections; actually, one is bookkeeping and one is record keeping.

Under 763.04, Mr. Imhoff, Paul Imhoff has requested that where it says "kept for a period of three years for inspection by the licensed officer" and is dashed out, be put back in.

Mr. Robinson seconded the motion.

Which motion prevailed.

Michelle Madoff:

The reason for that is that if they're put in a dingy room here they'll never be able to find it and we'll really be out of luck.

There's another one. On 763.04, Section G, second line from the bottom which is underlined which says, "the licensed officer may grant an extension for compliance of this provision to any parking garage for the minimum period required to complete renovations for any parking garage which began" and there would be a word inserted "planning". That word is missing. "Began planning renovations prior to July 1." So, the word "planning" would be incorporated.

Those are the only two motions.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Michelle Madoff:

On the bill itself. I would like to read for the record two items that I think are terribly, terribly important before we vote on this bill.

The first one I'd like to point out is some literature the Mayor's Task Force it putting out, and incidentally,

before I go any further, no matter how the vote goes today I want to thank the Press, the Post Gazette, all the television stations and radio stations, because without your help the public would not know what's really going on and I thank you very very much and the people who have called our office and the people who care, thank you.

I'd also like to state that this piece of literature is going to be very widely circulated. I want to read the points for the record.

INDOOR PARKING GARAGES

1. Do not park in poorly lit lots. If the lot is not safe, drive to another.

2. If possible, arrange for a friend to accompany you. It's more fun and there is safety in numbers.

3. Try to find a lot that offers good security. Identify safe lots before you need to park in a hurry. Rushing may compromise your safety.

4. Do not choose a parking lot by price. The extra money you pay may be added security.

5. Choose a garage with escort service so you may request that the escort stay with you until you are safely in your car.

6. Keep your car in good operating condition.

7. Keep your windows up and doors locked while entering or leaving a parking lot. Enter your car quickly and lock up.

8. Have your keys in your hand before you start to your car. If you fumble for your keys, you may be giving an attacker time to do his work. Use your keys as a weapon, if necessary.

9. Park near an elevator, if possible.

10. If possible, do not carry your I.D., creidt cards and keys in your purse. Carry them on your person.

11. Do not enter elevators or stairwells alone, wait until several others use them.

12. Don't leave valuables such as wrapped packages or cameras in plain sight. Lock them in your trunk.

13. Look under and around your car while approaching.

14. Before getting back into your car, check the back seat for someone hiding there.

15. If your vehicle appears to have been tampered with or if a suspicious person is loitering nearby, do not approach your car. Go directly to the person in charge of the lot and have the police called.

16. If someone approaches your car and asks for information, do not roll your window down more than 1/2 inch. It is best to avoid talking to strangers at all.

17. Do not enter garage restrooms. These are ideal hiding places for an attacker.

18. Do not leave your purse on the seat in clear view.

19. Once you enter your auto, leave the parking lot immediately.

20. If you think you are being followed, drive to a public place or a police station.

Michelle Madoff:

With these kinds of recommendations being widely circulated, I cannot imagine any garage owner being stupid enough not to bring their garage into compliance because it will be far more cost effective.

Now, rather than make a speech, I want to read a letter that arrived in my office today.

"Dear Ms. Madoff:

This letter in reference to our phone conversation on November 8, 1984. I am personally appalled at the lack of security in downtown Pittsburgh parking lots. Recently I was brutally attacked in Three Rivers Stadium lot. I could have been killed. As it was, I was repeatedly raped and beaten about the face. I have two cracked ribs and one hell of a black eye/face on the right side. I do thank God that I am still alive. This however does not excuse the lax attitude of parking lot owners. We pay obscene rates to park in town, and risk life and limb if we park outside the downtown area. No wonder people won't shop downtown anymore. It's not worth the danger lurking around most dark streets. Pittsburgh is not safe at night (or day - a second mugging attempt occured not one week after I was attacked! I am getting superstitious) If lots were safe they'd be used at night and that would generate more revenue. I don't believe in nagging unless I have suggestions to help change things.

1. Raise lot fees 25 cents or more. On a per car basis, the extra revenue would pay for either longer shuttle bus service or a security patrol. There should be safety as long as stores/businesses are open and seek human customers.
2. Hire a private guard to work 3-11 p.m. Monday through Friday to escort people to their cars.
3. Give the money to Pittsburgh for a City policeman to be assigned to Three Rivers/North Shore beat.
4. Arm the public. Promote self defense training and assault prevention classes. If more people were trained to defend themselves, criminals would have to decide whether the crime is worth the risk of their own personal injury occuring.

What really flabbergasted me is the individual lack of response from the few people who saw me being attacked. No one helped. No one called the police. For four hours I was totally alone, totally helpless, and completely convinced my life was at an end. Luckily I was wrong. Though this man tried to strangle me several times he was either too drugged or too nervous to actually finish me off.

I have had enough! It's time to stop being a victim and start educating people. We don't have to spend our lives at the mercy of a few sick minded people.

God created us in his image. Perhaps that is the basis of people's fear of death. If God has the power to be good and evil that is frightening. I prefer to think that God created us as a kind of hope chest. We each fill our lives with what is valuable to ourselves. Some people choose evil things to cherish. Others choose good, kind things. Both

choices are a response to a human being's attraction to immense power - like moths go to flames we humans are irresistably drawn to power sources. Unfortunately, some of us don't realize the dangers, pain, even death that an evil power source contains. I continue to pray for these souls. They are lost causes.

Please, Michelle, don't publicize my name. The painful memories are nearly unbearable now. Please, please don't add to my grief. My family and I are suffering enough. I just hope that someday I will stop having nightmares that wake me in a cold screaming sweat."

I think that says more than anything I could say to my colleagues in urging you to please vote for the bill.

Mr. Grabowski:

Mr. President, I'm not sure if Council is aware but last week I believe the City Clerk mailed out copies of the ordinance at the request of Council to the various parking garage operators. Those operators received the copies of the ordinances on Friday and they have asked that this bill be delayed until they have a chance to review and comment. I would hope out of courtesy to these operators that we would recommit this bill for one week to give them that opportunity.

Michelle Madoff:

Mr. President, may I respond?

The Chair:

Well, he's made his comment but I don't have a motion so we'll go back to the original one.

Michelle Madoff:

Well, I want to tell you that I got the same phone call in my office just before I came into session. It was from the most recalcitrant person whose father happens to be head of the Parking Association who has flimflammed my aide into going down to look at an outside stairwell that he was going to put in to protect people when what he really wanted to do was take out a fire wall. He told me that he's been working on putting in lighting for two years but he can't meet the deadline of January 1st. He wants us to do something about the 25 percent parking tax so he can afford to pay for it but he's making a large profit.

I end by saying that this Council and the Administration frequently passes legislation which is good for the overall welfare of the community. We don't always go into yes and no, after the facts and after hearings have been held. There have been many hearings; they know what the bill entails. They know from the media what the Mayor's Task Force on Women has decided. I don't believe we should be talking to the owners anymore because all they're going to try to do is tell us how to soften the bill and I think we should vote right now. If they want to come in with amendments, they can go to those members of Council who wish to weaken this bill and try to get them to hold a hearing. I say no. Vote now.

The Chair:

Let me correct something. You don't mean the head of the Parking Authority.

Michelle Madoff:

No, sir. The Association of Parking Owners.

The Chair:

Okay.

Mr. Grabowski:

Mr. President, there's another point. Mr. Charlton, the Executive Director of the Parking Authority, he's out of town and he hasn't had a chance to see this legislation.

Michelle Madoff:

May I comment? He is very, very cooperative; he's doing everything he can. I've been informed through Mr. Schmeiser who is also on that Authority that they're moving in full haste to support our bill. As a matter of fact, they've read the bill and the recommendation to put in "planning" came from them.

The Chair:

In fairness to the Parking Authority, I presented it to the Parking Authority at the last meeting.

Mr. Grabowski:

Mr. President, I move to recommit this bill.

The Chair:

Is there a second? Hearing none, we'll proceed with the original motion.

Mr. Grabowski:

Mr. President, since we're proceeding with final passage I feel compelled to make a few statements in opposition of this legislation.

The Chair:

Do you want to do it before you vote or at the time you vote?

Mr. Grabowski:

I'll do it right now.

Back in August, we amended this legislation at my direction and I believe what we came up with was fair, equitable and reasonable.

Michelle Madoff:

And I say, "Shame on you."

The Chair:

Michelle, please. Let him speak uninterrupted.

Mr. Grabowski:

One of the changes that this legislation makes is that we're requiring the garage operators to conduct 24 hour surveillance. To me, that seems sort of ridiculous. If you have a 300 car garage, between the hours of perhaps 11 or midnight to 6 or 7 in the morning, you have 15 or 20 cars parked in that garage. Why must you insist that these security people continually make their rounds? I think before when we had it at 16 hours that was logical, that the need for the security be whenever the cars are parked there.

Secondly, another thing with this legislation, in Section E, the last sentence, it makes optional recommendations. I don't think that the purpose of any legislative body is to make recommendations. When you make a law you put teeth into it and you stick to your guns. Here it says, "Successful completion of CPR and first aid is optional." Language like that should not be in any legislation.

I guess the bottom line is cost.

Who will ultimately pay for this security? It's the people who park in the garages. In the letter that Michelle read, the woman makes reference to obscene rates. Well, whenever you impose all these restrictions on these operators, naturally the rates have to increase.

I believe what is currently on the books is adequate and we should defeat this legislation and leave things the way they are.

Michelle Madoff:

May I respond please? Number one, on the number of cars and having security, the young woman who was raped four times, there were five cars there. That's all. Had there been a guard she may not have been raped.

Item two. The cost to her is far more costly and to society than the few pennies it's going to cost to have a higher rate. Furthermore, she was parked in a cheapie out in the suburbs, so to speak, because she didn't want to pay the obscene rates. I pay the obscene rates because my life has value.

Furthermore, I asked the gentleman who called me just before we went into session, I said, "Do you wish to have your fees lower to help you pay for these costs of making your garage safer?" He claimed that all the garage parking — You'd know more about it, Mr. Stone — is 25 percent, I believe, of the gross. I said, "You have the right to get together with the garage owners and come to Council and ask for some relief." I said, "But may I ask you a question? Did you make a profit last year." His answer was, "I don't know; we're part of a syndicate of five cities and I think we made a profit." I said, "Sir, show me your profit and loss statement and if you've lost money then this Council will seriously consider bringing to the Administration's attention a lowering of the rates."

I think, Mr. Grabowski, that when you take the issue of the garages making a profit, I suggest, sir, that you go and look at whether they're really making a profit or losing money.

Mr. Wagner:

I don't want to throw a curve into voting on this legislation but I think a procedural problem exists here. It has nothing to do with the way I'm going to vote on it because, as a matter of fact, I'm going to vote in favor of it. However, this is the first time I've actually seen this bill, Bill No. 1466, in the written form in which amendments have been made and deletions have been made. I think there was a procedural error which took place last Wednesday at our Committee Meeting. I don't believe that this bill was properly introduced. I am not certain what is legal here and what isn't legal but if we are proceding in violation of a procedure for the passage of legislation, couldn't if possibly put this bill, if it does pass, in jeopardy?

The Chair:

It's my recollection at the Wednesday meeting, in fairness, that what we permitted was a substitute bill where everything was to be put in one document.

Michelle Madoff:

Excuse me, Mr. Stone. That was the error that was the confusion. What we did was take the bill and just amend it as opposed to putting in a new bill that would have created an illegal motion. What we did was stay with the existing bill and just amend the bill. Therefore, it was in order to submit it.

If you want to take a five minute recess to read the amendments I'd be happy to do it but I'm terrified of buying time before this bill is approved. Mr. Wagner, I don't know if you recall, there was a hearing, I think before you came to Council. It's been two years that I'm working on this bill. All the garage owners were here. They all had their day in court, so to speak.

I went on vacation and one of my colleagues tried to obliterate the bill. The enforcement could not take place because it was absolutely emasculated. I took it out of politics and out of personalities and turned it over to the Mayor's Commission on Women and they did an outstanding job. You heard from them; what more do you want? Do you want the garage people to get to us and weaken it down or are we prepared to have the guts and courage to vote today? I plead with you to vote now.

Mr. Wagner:

Mr. President, all I'm referring to is specifically a letter that we had Wednesday. It certainly wasn't this legislation written as it is today. This is the first time I've seen it in this form. Now, if there's no procedural error, I'm prepared to vote on it but all I'm suggesting is that possibly there is.

Michelle Madoff:

There isn't.

The Chair:

The bill is now ready for final action. Clerk, call the roll.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES 1

(MR. GRABOWSKI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 961

An Ordinance entitled, "An Ordinance amending Title Ten, Pittsburgh Code by prohibiting use of plastic pipe in duct work, electrical work." (AS AMENDED IN COMMITTEE) **—(SPONSORED BY MR. WOODS)**

Which was read.

Michelle Madoff:

You know, this Council is frequently accused and I've done it myself, I just did a little while ago, of accusing people by innuendo of perhaps having obligations to vested interests. There has been a lot said about this Council as a body of having vested interests as to whether we should support the people who put out pipes or those plastic pipes or metal pipes.

I would like to read a blurb from the PG of November 19. I think it really summarizes how I feel on this Council

and how I vote what I believe to be my conscience.

"What the Pitt professor does not doubt is that plastics are extremely toxic. On the average he says, 'Plastic burns twice as fast as wood, burns twice as hot, is six times more toxic and kills twice as fast.' Even though he agrees that a ban on plastic pipe and conduit would eliminate only a small percentage of the toxic fumes in a major fire, he feels it is better to do something than nothing."

It's always the same story from opponents. Your bill is not comprehensive enough. But I fear you've got to start someplace and in my opinion the legislation is a good start. I congratulate you, Mr. Woods.

Mr. Woods:

Thank you, Michelle.

Mr. Grabowski:

Mr. President, I move to amend Bill No. 961 by incorporating the amendment that I have distributed to members of Council.

Mr. Woods seconded the motion.

Mr. Robinson:

Question. Mr. President and members of Council, again we have a procedural problem and I'd like to refer back to Mr. Wagner's comment. It would appear to me that if a bill that is as important as this is going to be amended, that certainly members of Council should have more information as to why the bill is going to be amended to be effective several months from now. While it may appear to be a small matter, I think those of us who had an opportunity to engage in the dialogue on this subject certainly need to have some opportunity to examine the rationale for the amendment.

Mr. Woods:

If I may, Mr. President, and I don't want to speak for Steve, but Mr. Grabowski spoke to me about it and there are a lot of people that perhaps figured the construction work already when they figured this price in and Mr. Grabowski asked if we would amend this bill so that it would take effect June 1, 1985 to give these people an opportunity to complete their work. I see nothing wrong with it. I spoke to the City Solicitor and asked him if that amendment would radically change the bill at all so that it would have to go back to the Board of Code Review. He said it does not; it's just procedure naming an effective date of the legislation.

Mr. Robinson:

Mr. President and members of Council, again I go back to the comments I raised the last time this bill was before us, I believe it was last Monday. I still believe this bill should have gone back to the Board of Code Review automatically. This proposed amendment I think strengthens my belief that procedurally we're not proceding. The procedural matter is one that I think has to be clarified; otherwise, we will have one set of rules and regulations for certain members of Council and another set of rules and regulations for another member of Council.

If the bill is worthy then its worthy to be judged by those who have a legal obligation to judge it. The Board of Code Review is there to do that. These procedural matters should be cleared up before we get to the substantive matters. It does us no good to rush this

bill through whether we're for it or against it and then if it goes to court, as this bill is likely to do, to have it stopped for procedural matters.

Again, I request that the maker of the motion to amend and the sponsor of the bill think carefully about the process that is presently being used to try and get this bill forward for final vote. Based on precedent, we're not following the proper procedure in considering Bill No. 961.

The Chair:

We're on the amendment which is to set a date of June 1, 1985.

Mr. O'Malley:

If I may, on the amendment. I agree with Councilman Robinson. I think the bill should be referred back to the Code Review Board. I have the same feelings. The people that testified in front of this City Council refused to testify in front of the Code Review Board. If their facts are accurate as presented to this Council, I see no reason why they wouldn't testify in front of the Code Review Board instead of in front of an uninformed City Council. None of us are experts on plastic pipes. The Code Review Board was set up just for this instance, to review changes in the Code and building materials. If there is no problem with the legislation as it stands, then why are we afraid to send it back?

I would also like to state that if it was referred back to the Code Review Board, then members of this Council can sit in on those hearings and go over the legislation one point at a time and get an explanation from people who are well informed.

Michelle Madoff:

I see no reason for it to go back to Committee. I think we can accept the motion. I don't think we want to stall on the bill because if we're going to take the position that this Council is not knowledgeable are we knowledgeable on bond issues, are we knowledgeable on rate structures for Warner Cable? We obviously need some expertise resource people to us, but I think that sending it back to the particular committee that is recommended by Mr. O'Malley, with all due respect, is putting the chicken right into the fox's mouth.

Mr. Grabowski:

Mr. President, I guess I better explain the amendment a little further. The purpose is two-fold. It is to set an effective date. Now, as Councilman Woods indicated, there are probably some construction plans that are already underway that if this legislation took effect immediately would probably have an adverse effect, particularly on the architectural plans.

Secondly, this would give the opponents an opportunity to prove some of their statements. Myself right now, and I'm sure all of us, we've heard from both sides and who's to know what's right? Last Friday I had a scientist from PPG Industries in my office saying that he could take me to a laboratory and prove that this legislation is detrimental to public safety. I'm willing to go to that laboratory and I'm sure a number of Councilmembers would like to go also and if in fact he can substantiate that claim, that gives us an opportunity to reverse this action before it takes effect.

Michelle Madoff:

Mr. President, don't we frequently

amend legislation as we come to a different view of things? We've seen movies, I couldn't even watch them; they were absolutely scary.

The Chair:

Let's only deal with the amendment now.

Michelle Madoff:

I don't think that the amendment should be the detracting point of the bill. I agree with my colleague when he says that we should not make people already in the process of doing something pay a penalty. So, if you make it June 1st I have no problem with that. But I think we ought to get on with voting for the bill.

The Chair:

All those in favor of the amendment? Opposed?

Mr. Wagner:

Opposed.

Mr. O'Malley:

Opposed.

The Chair:

Two opposed. The amendment passed.

WHICH MOTION PREVAILED.

The Chair:

On the bill itself?

Mr. O'Malley:

I'd just like to read into the record —

The Chair:

Before you do that can I just ask a question? For those who are going to make comments, can you make it when you vote or do you want to do it before?

Mr. O'Malley:

I'd like to do it now because this is not a comment. I'd like to read into the record two brief letters.

The first letter is from the American Institute of Architects, Pittsburgh Chapter. It's addressed to Councilman Stone and it says the subject is the use of plastic pipe and conduit in major office and apartment buildings.

"The Pittsburgh Chapter of the American Institute of Architects is as much concerned over the health hazards as they are about affordable housing. The use of plastic piping does provide a savings but its toxicity is open to debate.

The National Bureau of Standards and the Research Corporation of the American Institute of Architects are now involved in a multi-million dollar research study to determine toxicity of all building materials, including plastic piping under realistic conditions. It is our position that until the results of these studies are in and definite toxicity standards are promulgated, the use of plastic piping should be allowed to continue in building constructions in the City of Pittsburgh, particularly in view of the fact that piping is usually concealed in a fire-resistant partition.

We, therefore, urge you to refrain from any action disallowing plastic pipe until the above research has been published.

Very truly yours,
Stephen A. George, President"

The second letter was just given to me by Councilwoman Sophie Masloff and it's dated November 19, 1984. It is, I imagine, from a Mr. Goodlet of the Aqua Zoo.

It says, "Mr. Goodlet of the Aqua Zoo alerted my office that the aquariums and aqua zoos over the United States all use plastic pipes. Metal piping is toxic to the fish. Prior to plastic piping, coated iron or wood was used. However, the survival rate is much higher since the use of plastic pipe. This could be quite a problem for the zoo in that they use a large amount of plastic pipe."

This just reaffirms my position that this piece of legislation indeed needs a lot more research and a lot more study. Again, I would urge that this be referred back to the Code Review Board for further study.

Mrs. Masloff:

I neglected to add to that note that the legislation only applies to buildings over three stories high and it doesn't apply to aquariums but I passed that note around for everybody's information.

Mr. O'Malley:

The point I'm making was to combat the plumber's union statement that handling plastic pipe was detrimental to their employees. I find it difficult to believe that the survival rate among fish is much higher if they use plastic pipe than if they use metal pipe. I think it's just the opposite. I think the plumber's union would be much better off if they stay with plastic pipe, according to this research.

Mr. Robinson:

Mr. President, evidently I'm standing alone on the procedural issue but aside from that I indicated last Wednesday that I thought there was another good reason to consider supporting the bill. I think it's one that for whatever reason has not been discussed very much; that is, the issue of jobs.

It's rather obvious that many of the people who would like to see metal piping used also recognize that many of the jobs that plumbers and steelworkers in this area used to have have since left this area. Unfortunately, much of that work is now being done in South Africa. For that reason alone, I think we should support this bill. If we are not going to be open and honest about all the reasons that this kind of bill is important, then I don't think that we are doing the best that we can for the people in the City of Pittsburgh. Perhaps there's been an oversight on the part of some who have pushed for this bill not to mention this issue.

I think this is a very important issue for two reasons. One, Pittsburgh residents are directly affected by the use of plastic pipes; people losing their jobs. Two, this Council is presently considering six bills to restrict business activity in South Africa by companies and individuals that we do business with. I think we can send no clearer message relative to the whole issue of South Africa and the City's position than to at least consider the South African connection between this plastic pipe bill and our divestment legislation.

I hope that if members of Council cannot see their way clear to support me on the procedural issue, perhaps somewhere in your hearts you can find compassion to support me on the issue of making sure that the appropriate message goes out to people not only in South Africa but those who do business

there, that at least in this city we recognize that there's an adverse impact by doing business in South Africa for people who live and work here.

Mr. Wagner:

Mr. Stone, one quick comment. Members of Council, if you recall a couple of weeks ago we had a zoning hearing in regards to the Papercraft building in the Shadyside/East Liberty section. At that hearing I requested from the potential developer information pertaining to what the cost would be if plastic pipe were installed in that reconstructed building or metal pipe, for all purposes, plumbing, shaft work and electrical. I had a phone call last Friday and I was told that surprisingly, and I was very surprised, that the cost of using metal versus plastic would be cheaper.

The Chair:

Clerk, call the roll.

Mr. Givens:

Mr. President, I vote aye on this bill. As all of you are aware, I've just laid my one brother, Don Givens, to rest today, just two hours ago. Don was a very strong union man and president of his local prison guard union here in Allegheny County. I talked to Don about this particular bill as I have some of my other family members and all of them were in accord that the safety that we're giving the people of the City of Pittsburgh is one that's very necessary in this particular bill and in his memory today I came in here to cast my vote for a positive aye on this and to be sure that the people of the City of Pittsburgh are going to get this first safety. May it be a warning to the plastic industry that the have to look inward to the products that they are producing and try to produce something that's safer.

It is interesting to note that one of my brothers is in the Air Force and today, this week in fact, they are designing an airplane to crash purposely — it's all built out of non-plastic materials — to see how this aircraft withstands a crash impact and afterwards fire, predicated on the emergency that happened to the Air Canada aircraft where so many people died of the toxic fumes and materials that were in that aircraft and not actually from the flames or the smoke itself.

That's the reason why I vote the way I do. Thank you.

(BEGINNING - MR. GIVENS' REMARKS ON BILL NO. 961 - WEDNESDAY, 11/7/84)

Mr. Givens:

I commend the Plumber's Union, the Electrical Union, Steamfitters and all the support that we received from the Allegheny Labor Council and the expert testimony that was given here. In my lifetime I had to live and be surrounded by these toxic materials. I have been well aware of airplane accidents and accidents within the military where there is toxicity, the fumes and that have killed the people long before and I've seen bodies that weren't even touched by a flicker of fire but yet died because of the toxic fumes of material that we were forced to because of military lightweight, get-in and get-out type of situations, that if you got hit and went down, if you didn't get away from that thing by parachuting or upon immediate impact, your life was just taken from you. Remember what these people are trying to tell us. This stuff is enclosed behind walls. I don't want to see grandfathering coming down. I hate grandfathering in legislation. That's when we come down and say that we're

going to grandfather this. We're talking about the BOCA Code and I heard statements made here that we're going to grandfather something that the BOCA Code -- no way. I want a builder to come in here and have the freedom of building and the code that he's looking at and not five or ten years from now to come back and say, "Ho fellas, we've just found out that all this plastic is really adding up and it's really causing the deaths that people are saying that it's causing".

Yes, we cannot address what we put in our homes, but in the Building Code this Council has the moral obligation to start somewhere and I commend both Councilman Woods and the people who have come before this group and testified to give us pre-warning of what is going to happen in the future -- of what is going to happen in the future and I commend them on this.

It was the same type of labor people that came and told us what was happening on their plant closing and asked this Council to do something and we sure did. Sure, we were shot down in the courts. Sure the County Code and the use of plastics was shot down in the courts. Yes, this might end up in the courts as the final battle. If this Council should send anything to those people in the County that this has passed and if it's passed by a simple majority of five, not seven as required by law in the Council, we are sending the signal to the county elected officials and as other states have adopted this and other cities have adopted this, they're giving us a warning signal; "Hey fellas, you have a potential problem out there, address the issues right now. Don't wait until we have Renaissance III and decide that we have a serious problem in our building code". That's what it all boils down to and for that reason and that reason alone, I think they're sending out very good vibes to this Councilman as to how I should vote because it's in the future and it's in the present and let it be a warning to the plastic industry that if this city does adopt, other cities will follow suit as we're following suit by other cities and other states and I think it's a wave that is just beginning to bud. It's just the tip of the iceberg and what plastics are doing to our society and it horrified me when this public Council meeting that we had that I went back into my own home and re-evaluated my own situation and to my suprise again in walking to my grandson's room and finding that almost every one of his toys were made out of plastic.

Gentlemen, I commend you for what you're doing in the building code and hopefully that this will have a rippling effect throughout the whole plastic industry to start looking inward to try to come up with some type of plastic materials that does not put off a toxic fume that can kill you quicker than the smoke and the fire that you would be involved in and it's nice and clear because you can only smell it and I mentioned that when Jim O'Malley was giving his testimony about having a "sniffer test", I wish you could have a little bit of smell of that sulfur of those toxic fumes that are emitted by the plastic materials that we all live in and around. I wish that you could have a good smell of it because I tell you that if you would have that good smell as I have had, and it had dropped me to my knees, dropped me to my knees. Life experience. That's what our firefighters are trying to tell us when they come in here -- it drops them to their knees, it kills them and it affects their hearts and lungs and if we don't have compassion for those firefighters and what's going to happen in the future of this city, then shame on us.

(END - MR. GIVENS' REMARKS ON

Michelle Madoff:

I would like to point out to my colleague, Mr. O'Malley, who is so concerned about the bill and our information and our ability to make judgments, that when the bill came before this Council on self-service stations and the vote was 5-4 and those of us who thought the people who had the right to pump their own gas, and you were one of those, the legislation was taken to court by the gas station owners. Foolishly, our administration appealed the decision of the courts and my understanding is that they now have the right to do what is fitting and proper in a democracy, if you want to pump your own gas you can pump your own gas, but it was decided in the courts and you've always been a proponent of letting the courts decide what is correct.

I want to vote my conscience of what is correct and I ask the others to do the same. If you have any questions on the legality, let the courts decide that. I vote aye.

Mr. Woods:

I vote aye and I'd like to thank all my colleagues that voted aye, especially Mr. Givens for taking the time out to come in here today.

The Chair:

I'm voting aye for the following reasons. I think that the opponents of this particular bill had a few steps that they needed to develop. They alleged it but it was not proven and the first one was cost, that it was so exhorbitant to switch away from plastic. Listening to everyone, I don't think that that issue was proven. Mr. Wagner pumped that issue a number of times hoping to get some answer one way or the other as to whether it was or was not more costly to stay with metal as opposed to plastic.

Secondly, the other issue was the matter of toxicity. I was somewhat taken back when one of the experts felt, and it led to that because I thought that what they were saying was it is in fact a given that plastic creates greater toxicity but because it's placed in a plenum and covered in that form it's no more unsafe than metal. They, however, did not prove that. In fact, he went further than I thought he would ever do and that's saying that plastic does not create any greater toxicity than does wood. I can't buy that one and I think that carrying out the next problem they failed in that one as well and it's been brought out that if there is a problem or a doubt what should we do. It's my belief we ought to stop until we find out and stop before there's any more injuries as a result of it. We've had some tragic experiences; we ought to be looking at them a little bit closer before we find out where our problems are after someone has passed away. I vote aye.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)
AYES 8	NOES 1

(MR. O'MALLEY VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

Bill No. 1781 Communication from Jim O'Malley submitting the name of Eugene P. DePasquale on his re-appointment as a member of the Allegheny County Sanitary Authority for a term to expire December 31, 1989.

Which was read, received and filed.

Also,

Bill No. 1782 Resolution approving the re-appointment of Eugene P. DePasquale of 230 Meyran Avenue, Pittsburgh, PA 15213, as a member of the Allegheny County Sanitary Authority, for a five year term to expire December 31, 1989.

Which was read.

Michelle Madoff:

Who is presenting this?

Mr. Perry:

The Chair is presenting it.

Michelle Madoff:

We don't vote today, do we?

The Chair:

It's a reappointment.

Michelle Madoff:

I vote against it and I want to give my reasons.

Mr. President, this Council is acquiring a little bit of stature in the community and we're not being considered as much buffoons as we were before because of the expertise that has come to this Council. Mr. Wagner is an engineer; he adds considerably to this Council. Mr. Robinson has some background in economics and other people have some specific backgrounds.

My background is in environment and energy. I am being asked to work for consulting people at $1,000 a day. I can't do it because of the conflict of time at this point in time in my life. That I have not been appointed to Alcosan or to any other board or commission is a disgrace. Why I would not be appointed where I could do the most good for the community is unbelievable. I have nothing against Mr. DePasquale; if anything, he helped me get elected. But I don't think that Mr. DePasquale could offer more expertise than I could and on that basis I vote to hold that bill until I can be considered for that job.

Mr. O'Malley:

As a board member and member of City Council that had the opportunity to serve with Mr. DePasquale for the past four years at Alcosan, Alcosan is considered today one of the outstanding sanitation authorities in the country. We are now entering our tenth year without an increase in rates and that's unheard of for any authority or any municipality and a lot of that is because of the direction of Mr. DePasquale and his hiring of management staff and hiring the best people that we can find and giving them the reins to do what they feel is best and reporting back to the board the options

that we have so we can vote on them. So, a lot of the success that Alcosan has enjoyed over the past decade has come under Mr. DePasquale's leadership.

Michelle Madoff:

I would quarrel with that. I think Mr. Creehan should take credit for that; he is the director, it is not Mr. DePasquale. As I recall, Mr. DePasquale went to Europe on a junket and Mr. DePasquale attended the meetings, or supposedly attended the meetings, and I got a copy of the program which is a highly technical meeting and with my expertise I would have questioned whether I would have understood what was going on. He didn't know what was going on at all so let's not make it look like Alcosan is doing well. I don't think he hurt it but he didn't help it any and he certainly got a lot of jobs for his friends. That's what it's all about and I would suggst that we do not vote on this today and that it go back for consideration for someone else to be appointed, whether it's myself or somebody more knowledgeable.

Mr. Wagner:

May I ask a question? Are we voting on whether — Could you read that again?

Mr. Perry:

It's a resolution approving the re-appointment of Eugene P. DePasquale as a member of the Allegheny County Sanitary Authority for a five year term to expire December 31, 1989.

Mr. Wagner:

Is that final vote today?

The Chair:

Yes.

Mr. Wagner:

I wasn't even aware that we'd be voting on that today. Nothing in disrespect to Mr. DePasquale but I think that we're jumping the gun by throwing a name out at a meeting, any name, without prior notice of us voting on that.

Michelle Madoff:

I move to hold; do I have a second?

Mr. Wagner seconded the motion.

Mr. O'Malley:

Roll call vote.

Michelle Madoff:

This is so political and so loaded I can't believe that you'd do it in front of the cameras and do it publicly.

Mr. O'Malley:

This is an important vote so I think all members of Council should be present.

Mr. Wagner:

Mr. President, isn't there a procedure — People come before this Council for commissions prior to us having a final vote. Doesn't that same procedure pertain to something as important as an authority?

The Chair:

We've had other appointments along these lines and it's Council's decision of what they want.

Michelle Madoff:

I would hope that Council would not act politically on this. That's what it is, a political vote. Let's call it exactly what it is; it's a disgrace.

Mr. Grabowski:

Mr. President, if I might interject. I believe most of us all sit on some authority or board —

Michelle Madoff:

I don't.

Mr. Grabowski:

I said most of us. Our appointments had to be approved by Council and it was done by this same method. The name was simply brought up and voted on at that time and I believe this is a similar kind of situation.

Mr. Wagner:

Mr. President, why was it not brought to my attention as an elected official in this City that we would be voting on this today?

The Chair:

I was just given the paper to present, which I am presenting. It's up to Council now what they want to do and that's the ususal fashion.

Mr. Wagner:

When we are presenting on any authority, and I mean any authority, this Council has been made aware to my knowledge of voting prior to the actual thirty seconds to a minute prior to the vote of what we're voting on.

The Chair:

If you want to hold it, that's up to Council, just so we understand it. That's the way they're all presented and we've been holding —

Mr. O'Malley:

I think it's been the practice of this Council for any new appointments to bring them in. I think it was Wednesday I notified Mr. Perry that I'd like to have Jeep's name put up for reconsideration and it was my understanding at that time that Mr. Perry, or at least by Thursday or Friday, was to send that letter around to all Councilmembers so they'd have an opportunity at least over the weekend to give it some thought.

Michelle Madoff:

He did not do that.

Mr. O'Malley:

I don't think that anybody here is not familiar with Mr. DePasquale. He has served on that board for ten years now and he has been the Chairman for the past four years.

Mr. Wagner:

In all due respect to Alcosan, Mr. DePasquale and yourself, Mr. O'Malley, I personally think that Alcosan has not addressed a very severe problem in this City which is the Saw Mill Run Basin. We all know how long that problem has existed and has existed for 25 years. I am from that area so I am probably more aware of it than any member of this Council. I would like to, prior to voting for anyone on that particular authority, I would like to know what the future commitments of that Authority are to address the number one sewage and flooding problem in this City. I think

that's a very reasonable request.

Mr. O'Malley:

I can answer your question or your concerns as a board member. The monies for the Saw Mill Run reconstruction was in the federal budget that was vetoed by President Reagan. The problems with Saw Mill Run —

Mr. Grabowski:

Mr. President, point of order. The issue is not Saw Mill Run; the issue is Mr. DePasquale. Let's stick to the issue.

The Chair:

Mr. Wagner made a point he would like it not voted on today for the reason that he's like to find out what the commitment towards Saw Mill Run is.

Mr. O'Malley:

I'm trying to give him that explanation now. It is our understanding that it is the federal government's responsibility. Now, because of the veto of the monies for that project, we're taking a second look at Saw Mill Run and whether it's Alcosan's responsibility or the joint responsibility of the Sewer and Water Authority and Alcosan, since half of Saw Mill Run falls within the City of Pittsburgh and the drainage area falls within Alcosan's jurisdiction.

Mr. Wagner:

The entire area of Saw Mill Run falls under Alcosan jurisdiction but not the City of Pittsburgh.

Mr. O'Malley:

Not necessarily. A lot of the run-off and drainage is outside of Alcosan's jurisdiction.

Mr. Wagner:

I beg to differ with you, Mr. O'Malley, but it's all within Alcosan jurisdiction and I don't want to overcomment on a particular issue but I really think that as one councilmember I would like to know the direction of that Authority pertaining to that problem with all members on that authority, including management of the authority, prior to voting on such an important item.

Michelle Madoff:

I think this is a sneaky maneuver; I don't know what their game plan is politically. It's back to the smoke-filled rooms, back-room kind of politics. I think it's a disgrace and I ask that we hold this bill. It is a five year appointment. Mr. DePasquale is considering running for City Council again and this would give him a boost up the ladder. Let's face it and let's talk about it just the way it is. If he was such a great person on Alcosan, what was he doing to go to Washington and try to do something about Saw Mill Run? Nothing. But he's been putting his family and his friends in jobs over there. That's patronage; that's the way it's always been. I am not voting for somebody who doesn't have the expertise. If you don't want me because I do have that expertise, then let's go find some expert in the community to serve on that board and let's not make a blatant public political appointment in front of the cameras. It's a disgrace.

Mr. Wagner:

I would still like to know the procedure —

Michelle Madoff:

The motion is to hold and we have

a second.

The Chair:

In view of where you are, why don't you hold it one week and get his answer and resolve it at the same time.

Michelle Madoff:

It's going to be the same issue next week. You'd better find somebody else.

Mr. Grabowski:

Roll call, please.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff	Mr. Wagner
Mr. Robinson	

AYES 3	NOES 4

VOTING NO:

Mr. Grabowski	Mr. O'Malley
Mrs. Masloff	Mr. Woods

(MR. GIVENS AND MR. STONE ABSTAINING)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

The Chair:

The motion fails so we'll go back to the original motion. The motion is to appoint. Roll call.

Mr. Givens:

I vote aye for this reason. Jeep and I have had many political battles but he's always been a fair man up front. I'll say one other thing under the Alcosan with Mr. DePasquale as its chairman, I or no other citizen in this city has received an increase in their sewage bill since he's been down there and I have to say that's a compliment.

Michelle Madoff:

I want to hold my vote until the end.

Mr. O'Malley:

Aye and I'd just like to state that I've had the pleasure of serving with Mr. DePasquale for the past five years. This is the tenth year without an increase in the rates and we're also restructuring now and it looks like we'll be able to go another four to five more years without an additional rate increase at Alcosan. This is unheard of for any authority or any municipality. I think Mr. DePasquale has done an outstanding job.

Mr. Robinson:

I'm going to vote no for the following reasons. I had occasion to serve with Mr. DePasquale for six years on this Council. During that period of time he served as President of Council, at least for two terms. He spent ten years of distinguished service with Alcosan, four years as it's president or chairperson. It seems to me that a person with that kind of distinguished public record should not be presented to

some of his former colleagues and to people of the City of Pittsburgh and Allegheny County in the fashion that he was presented today. Mr. DePasquale is known by everybody on this Council and I don't think there's anybody here who could not make a fair and honest assessment of his ability to serve the people of the City of Pittsburgh. If there are concerns about his technical expertise, there are appropriate forums in which to discuss that and I'm sure Mr. DePasquale would have no difficulty in standing up in terms of anyone else's record due to the fact that he has spent ten years on Alcosan.

But I think there is a procedural question that's being raised again and that is the manner in which we conduct our business. I see no good reason why we could not hold this nomination until questions that have been raised can be answered and I think the Chair made a very valid suggestion and that was to hold it for another week. With ten years of distinguished service, four years as Chairman of Alcosan, certainly Mr. DePasquale could wait another week and I'm sure if he were here he would ask us to wait. It is not fair to him to now have questions raised about his competency and possibly his integrity for the sake of one week.

For those of us who do believe that he is a decent and honest public servant, I think we should give him an opportunity to be seen in the best possible light and not rush forward simply because of our personal relationships with him or our previous work experiences. I don't think any separate rules should exist for Mr. DePasquale any more so than any other public official or anyone else that we have to consider for public service.

Those are the reasons why I'm voting no.

Mr. Wagner:

I abstain for the following reasons, both of which do not pertain to the individual. The first reason being that if there is not a procedure, and I suspect there is no procedure since we're voting, there is no procedure in existence for these nine elected officials to be notified prior to sitting down at this table that they will be voting on an appointment of a particular person to an authority. Because that's not in existence, I want everyone to know that I will introduce some type of legislation to correct that problem, that there is some prior notice prior to voting on anyone for any authority.

Secondly, the item I touched on earlier, I personally think this City has ignored an extremely severe problem; not only this City but this County and the municipalities in the County pertaining to sewage. We have been reading for 25 years, and I have documentation in my office going back 25 years about the Saw Mill Run Basin. If you take a ride out Saw Mill Run Boulevard and you look at that area, it's desolate. The entire area. There's no development, there's no commercial, there's no retail, there's no residential, and it's in a low-lying area. No one wants the property. No one wants to build there for two reasons; the sewage line does not have the capacity to handle that basin. The other is the stream. This City has made a commitment last year to the dredging of this stream and I understand right now we are considering a long range commitment of continual dredging of Saw Mill Run.

That corrects one of the two problems but not the most severe problem. The most severe problem is a sewage system that does not have the capacity to handle the City of Pittsburgh and the community south of the City of

Pittsburgh. I view that problem as being the number one responsibility of not only this municipality but all municipalities south of Pittsburgh that hook into that line and particularly Alcosan. Alcosan is the authority that accepts all the sewage from all of those municipalities. I personally think because that issue has not been properly addressed locally, it has continually failed in the federal government, trying to get the monies to correct it. It's a $25 million problem that's not going away. It's harming us in more ways than we can imagine. It's extremely harmful in terms of our tax base. We could have development all along that entire corridor. We will not until we have a commitment made to address the sewage problem. To my knowledge, that commitment has not been made by Alcosan and for that reason I abstain in my vote.

Michelle Madoff:

I'm really appalled at the sneakiness of this action. A vote is being asked for Mr. DePasquale for five years where he may probably end up continuing as a president of Alcosan when in reality the work that was done that's meaningful is by Mr. Creehan who has hired the new engineers. Mr. DePasquale is a figurehead; he does not have the exptertise as an engineer and economist and any degrees or background that would qualify him to be in a company that used to be called Alcostench and sometimes still is, if there's any credit for what's happened there in keeping Alcosan in the black in all the years that they have been a good authority it goes to Mr. Creehan. I repeat that, to Mr. James Creehan.

For us to sit here when we want to come out of the dark ages of politics as usual, I ask you, is there anybody who is watching the show today that if there was a lie detector test that was irrefutable that we could take that we knew worked and every member of this Council was given that test, wouldn't the votes for Mr. DePasquale really show, if you were asked the question, "Am I voting because he appointed me to the board, because he has helped me get elected or because he's part of the party system?" and some members of this county are party hacks and I'm sorry, I didn't think I'd have to go back to that but this is an outrageous, outrageous vote. To sneak Mr. DePasquale's name in for a five year appointment is — I just can't even deal with it. No!

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)
AYES 6	NOES 2

(MICHELLE MADOFF AND MR. ROBINSON VOTING NO)

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

The Chair presents

Bill No. 1783 WHEREAS, William R. B. Froehlich has announced his retirement from his position as

Executive Director of the Southwestern Pennsylvania Regional Planning Commission, and as Executive Director of the Pittsburgh Regional Planning Association, positions he has held since October 1964; and

WHEREAS, the Southwestern Pennsylvania Regional Planning Commission is the designated Metropolitan Planning Organization for the counties of Allegheny, Armstrong, Beaver, Butler, Washington, and Westmoreland, and the Pittsburgh Regional Planning Association is a private, non-profit agency, formed in 1918, which has prepared major development plans for many communities over the years; and

WHEREAS, in 1948 Mr. Froehlich was appointed Chief Planning Engineer of the Pittsburgh Regional Planning Association, where he actively participated in the City's Renaissance I; and

WHEREAS, in 1952 Mr. Froehlich was appointed the first Executive Director of the Public Parking Authority of Pittsburgh and, for seven years, guided the Authority through the planning, design, construction, and operation of seven downtown parking garages; and

WHEREAS, Mr. Froehlich's vigorous work and devotion has re-shaped the concept of regional planning and has earned him numerous commendations throughout his illustrious career.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the members of Pittsburgh City Council, hereby express sincere commendation and gratitude to William R. B. Froehlich for his many years of diligent service as Executive Director of Southwestern Pennsylvania Regional Planning Commission, and as Executive Director of the Pittsburgh Regional Planning Association, where he has contributed immeasureably to the economic and cultural growth of our City and has enriched the lives of many. And this Council wishes Mr. Froehlich a rich and happy retirement.

Mr. Robinson moved to adopt the resolution.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Michelle Madoff:

Discussion. I think we could honor the gentlman by asking him to serve as our representative to Alcosan. He's qualified; he would add something immeasurably and it would not be a political vote.

The Chair:

Thank you much.

Mike, I would like my remarks brought forward from the SPRPC, Grants and Donations budget hearing.

(BEGINNING - MR. STONE'S REMARKS ON MR. FROEHLICH - 11/15/84)

Mr. Stone:

If I may, as was indicated here many times, Mr. Froehlich is retiring and I would be remiss having now served some eleven or twelve years with him at SPRPC if I didn't make a couple comments.

Those who know of Mr. Froehlich will know that many things happen in this City, this County and this State, but too often overlooked was the fact that as a

major part of it is staffed and in the capacity serves the Southwest Regional Planning. He served with many of the giants in this highway department and was a great contributor himself in the early stages of it not as much in the limelight that he should have been. When he came to this region he gave to this region probably its finest development. With Southwest Regional Planning all has not been rosy politically nor has it been too often were planners able to accomplish what they planned, as has been indicated by skybus which unfortunately got swayed through. But I've had the opportunity to serve with him on Southwest Regional Planning and when challenged, he met the challenge.

He also has been able to keep together six counties where everyone has a diversified interest, even being more blunt, a selfish interest, why they should have their kind over the other and he's been able to keep that within a good framework and a working relationship, whether it's staff, whether it's the Commissioners who involve, County Commissioners, he has made a nice blend and he has the utmost respect of everybody in Southwest Regional Planning. He has the utmost respect of everyone in this City, the utmost respect from everybody in this County, the utmost respect from everybody in the State relative to this thing, and I've had the opportunity to go to various meetings in Washington, D.C. during our briefings, federal briefings, and he has the highest respect there.

Our Association, the National Association of Regional Councils felt that he far excelled everyone else and they awarded him what is called the Waller-Schreiber Award and he holds the distinction of being one of those individuals particularly chosen from the many thousands of executive directors who have served and I think for this region and this City we all owe a debt of gratitude in knowing that Mr. Froehlich came this way and I'm sure that the fruits of his labors and his work and dedication will still be coming in many many years to come.

From all of us, Bill, we wish you well.

The other thing that I think he deserves a great bit of tribute, I know of no man who has ever been able to carry people under him who he can bring into a finished product. He was able to carry things on and that's done with dispatch. He has a unique ability to pick the right people and it's one of the reasons that I made a motion that for our future we select internally and the Committee then selected Mr. Bob Kochinowski who, as Bill has indicated, has eighteen years into this particular area of work and has been devoted to it. We expect nothing but the best from Bob and we wish him well in the future.

The other one is, we have a second man who has been extremely helpful to the Southwest Regional Planning, it's a gentleman sitting in the back, that's Norm Huellenstein and when we talked about going internally these two men stood up head and shoulders above everyone else.

There's a good relationship with everybody at Southwest Regional and I think we have only to be grateful because of the good relationship as set by the example of Mr. Froehlich. He also takes with him, regretfully, another tremendous individual who just retired and that's George Furgurson. He and Bill, and I gave the speech for him, have done a great job of harmony and they've worked together as no two gentlemen have ever worked together.

Again, Bill, a lot of life, a lot of

healthy life for you and your wife.

(END - MR. STONE'S REMARKS ON MR. FROEHLICH - 11/15/84)

Mr. Wagner:

Mr. President and members of Council, Councilman Grabowski and myself passed around a resolution and we have chosen to hold that one week and we'll be formally introducing it next Monday.

Michelle Madoff:

I have a floor motion. My office has been inundated, as I believe Councilwoman Masloff's has been and other members of Council, with reference to garbage pickup on Mondays.

For some reason, the people of Squirrel Hill feel that they have been singled out and there have been some really harsh statements made. My understanding from Mr. Woods is that they also pick up garbage on the North Side on Mondays. Last year I made a recommendation to this Council and it was supposed to have been enacted. We did it during budget hearings and it was not enacted and that was that we go on a rotating year, that one year if you're a Monday pickup, the next year you're a Tuesday pickup, the following year you're a Wednesday pickup. All they do is take the same routes and just transfer it over and it is not a problem.

I would ask that we consider that very seriously this year and that we move to at least look into doing that. It's a very simple matter.

The Chair:

May I make a suggestion? Why don't you refer it to Mr. Walker.

Michelle Madoff:

I have and I've referred it to the Mayor.

The Chair:

Let's get a response on it and see what he says.

Michelle Madoff:

Would you send it out to him again? It is a matter of the wish of this Council or the Administration as to whether he will do it or not.

The Chair:

There are advantages and disadvantages to Monday. If you have a heavy weekend you want it out of there by Monday. There is the disadvantage which is the holidays fall then.

Michelle Madoff:

Why don't we share the advantages and disadvantages by doing it on a rotating basis and do it fairly and justly and not politically?

The Chair:

I think we ought to ship it to him to see what he tells us.

Michelle Madoff:

I don't want us to go back to Mr. Walker simply because we went to him already. If we tell him we want it done, he will do it. Does he work for us or do we work for him? Were we elected or was he elected?

The Chair:

Michelle, all I'm asking is that the man who does the job give us a response

and then we act.

Michelle Madoff:

I want to tell him to just do it.

Mr. O'Malley:

I agree with Michelle. Being a Squirrel Hill resident I agree that it is very inconvenient three or four or five times a year. I also support her motion to have Mr. Walker, and not duck the issue this time, have him report to this Council within 30 days —

Michelle Madoff:

No, no. Within three days. Immediately.

The Chair:

Refer it back this week and it comes back up Monday.

Mr. O'Malley:

Ask Mr. Walker how much time he needs to prepare a report for this Council.

Michelle Madoff:

Three days. I'll give you one week; next Monday. That's it.

Mr. Grabowski:

Maybe a simple solution would be to have Mr. Walker come to the Finance Committee Meeting tomorrow if possible; if not, give him enough time to come and he can explain to us himself what the problems are and if he intends to implement this.

Mr. Robinson:

I have an item please. My concern is about the emergency food relief program for Ethiopia, Africa and I'd like to share a letter with members of Council if I might. The letter reads:

"Dear Mr. Robinson:

Please be informed that the Allegheny Union Baptist Association, a religious gathering of sixty-two (62) churches located throughout Western Pennsylvania is moved in a very soul searching manner to respond in some appropriate way in aiding the "famine stricken people in Ethiopia, Africa".

We know and believe that many others who are aware of the ravages of that famine stricken area would like to know that some one or some organization in our area is not only concerned but is touched in such a manner as to move forth rightly towards working out some ways and means that might help relieve in some way the sufferings of those in that East African country.

To this end, we, the Allegheny Union Baptist Association, would like to inform those who would like to aid us in this humanitarian effort that:

1. The Allegheny Union Baptist Association is in the process of soliciting from the Churches in the Pittsburgh Area non-perishable foods to be sent to Ethiopia.
2. There will be several areas where food will be stored and picked up.
3. For further information on how you may participate in this effort please contact the following persons:

Deacon Kato Arnold
412-621-7154
or
Dr. J. Earl Garmon
412-621-4311 (office)
412-363-0952 (home)

We solicit any help or input from you and or City Council on this matter. And please note: "This is an urgent matter that demands our attention!!!"

Thank you in advance for any assistance.

Yours in Christ Jesus,

Dr. J. Earl Garmon
Pastor, Trinity Baptist Church
Pittsburgh, PA 15201"

The Chair:

Thank you.

Now I'll entertain a motion.

And on the motion of **Mr. Wagner**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, November 26, 1984 No. 46

Municipal Record

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, November 26, 1984

PRESENT:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Stone (Pres't)

ABSENT:

Michelle Madoff
Mr. Robinson
Mr. Woods

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Givens presented

No. 1784 Resolution Repealing Res. No. 876, effective, October 18, 1984, entitled: "Providing for a Contract or Contracts, or the use of existing Contracts, for the purchase of decals and placards, parking restrictions signs, and related supplies; including installation costs, for the approved Residential Sticker Parking Areas, at an aggregate cost not to exceed $45,000.00, $30,250.00 chargeable to and payable from CDPW 83-19, 4-01-30-0010-83-231-83-01, and $14,750.00 from CDPW 84-39, 4-01-30-0010-84-231-84-01, Residential Sticker Parking Program, Parking Surveys and Sign Installation.

Also,

No. 1785 Communication from Louis R. Gaetano, Director, Dept. of Public Works, requesting authorization for Matthew Walsh to attend the Annual Meeting of the Institute of Transportation Engineers in New Cumberland, Pennsylvania, on November 8-9, 1984, at a cost not to exceed $150.00, payable from Code Account No. 1502, Misc. Services, Director's Office, Department of Public Works. Prior approval granted by Council on October 31, 1984.

Which were read and referred to the Committee on Public Works.

Mr. Wagner for Mr. Robinson presented

No. 1786 An Ordinance amending the Pittsburgh Code, Title Two-Fiscal, Article VII, Business-Related Taxes, Chapter 243, Business Privilege Tax, by changing the rate and computation. — **(SPONSORED BY MR. ROBINSON)**

Also,

No. 1787 An Ordinance amending the Pittsburgh Code, Title Two-Fiscal, Article VII, Business-Related Taxes, Chapter 249, Mercantile License Fees and Tax, Section 249.04 Tax Rate, by changing the rate of tax. — **(SPONSORED BY MR. ROBINSON)**

Which were read and referred to the Committee on Finance.

Mr. Wagner moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. Wagner presented

No. 1788 Resolution further amending Res. No. 66, approved January 31, 1983, as amended by Res. No. 1042, approved November 23, 1983, entitled: "Providing for a Contract or Contracts for the Relocation of the Lowe Street Bridge Water Line; and providing for the payment of the cost thereof," by increasing the total project allocation from $66,000.00 to $66,542.94.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Wagner for Mr. Woods presented

No. 1789 Resolution providing for the issuance of a $1,267.75 warrant in favor of Duquesne Light Company in settlement of claim for property damage by a Department of Public Works vehicle, payable from Code Account No. 46, Judgments.

Also,

No. 1790 Resolution authorizing the Mayor to issue and the City Controller to countersign a duplicate warrant to Lawrence E. Russell, in the amount of $974.15, to replace the original warrant which was lost, stolen or inadvertently destroyed.

Also,

No. 1791 Resolution authorizing the Mayor to issue and City Controller to countersign a duplicate warrant to Charlotte Fowler, in the amount of $1,273.19, to replace the original warrant which was lost, stolen or inadvertently destroyed.

Also,

No. 1792 Resolution Repealing Item E of Res. No. 697, appr. August 25, 1983, for the sale of vacant land, 18th Ward, Arlington Avenue, designated as Block 3-J, Lot 11, to James E. Creehan, for the sum of $250.00. Resolution is to repeal the sale and return the hand money. City does not have title to the property.

Also,

No. 1793 Resolution Repealing Res. No. 899, Item E, approved October 18, 1984, which repealed Res. No. 703, approved July 19, 1982, for the forfeiture of hand money of Jim & Marie Payne, his wife, in the amount of

$2,500.00. Resolution is to repeal Res. No. 899E, and to re-instate the original Res. No. 703, containing the sale.

Also,

No. 1794 Resolution amending Item A of Res. No. 927, approved October 29, 1984 for the sale of property in the 3rd Ward, on Roberts Street, designated as Block 9-S, Lot 242, to Lucille S. Roy, for the sum of $2,500.00. Amendment is to correct the address, which should be 614-16 Roberts Street instead of 612-14-16 Roberts Street.

Also,

No. 1795 Resolution amending Item L of Res. No. 927, approved October 29, 1984 for the sale of vacant land in the 15th Ward, on Chaplain Way, designated as Block 56-N, Lot 69, to Edward T. & Mary Rita Coyne, for the sum of $300.00. Amendment is to correct the year of acquisition from 1973 to 1983.

Also,

No. 1796 Resolution Repealing Resolutions, approved on various dates, authorizing the sale of property in various wards of the City of Pittsburgh, in accordance with Act No. 514, as amended, and providing for the forfeiture of hand money.

Also,

No. 1797 Communication from Melanie J. Smith, Director, Department of Personnel & Civil Service, requesting authorization for Jim Klein to attend a one day workshop conducted by the National Job Training Partnership in Baltimore, Maryland on December 17, 1984, at a cost not to exceed $275.00, payable from the JTPA-1 Trust Fund, Federal Funds.

Also,

No. 1798 Communication from Thomas E. Flaherty, City Controller submitting an estimate of the probable Revenues the City of Pittsburgh may anticipate for the General Fund for the year 1985, the Estimate Revenues for the year 1984, the Revenues Received for the 1984, and a comparison of the 1985 Estimated Revenues with the 1984 Revenues Received.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 1799 Resolution transferring the sum of $3,500.00 from Code Account No. 1003, Misc. Services, City Clerk's Office, to Code Account No. 1002-1, Premium Pay, City Clerk's Office, Index Code 100214).

Which was read and referred to the Committee on Finance.

Mr. Stone moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 1800 Resolution providing for the issuance of a warrant in favor of NBI in the amount of $22,518.98 in payment for the purchase of office equipment for the City Clerk's Office, chargeable to and payable from Code Account No. 1006, Equipment, City Clerk's Office,

Index Code 100602.

Also,

No. 1801 Resolution transferring the sum of $5,000.00 from Code Account No. 1003, Misc. Services, to Code Account No. 1006, Equipment, City Clerk's Office, Index Code No. 100602. The purpose of this transfer is pay for NBI computer equipment for our office.

Which were read and referred to the Committee on Finance.

Also,

No. 1802 Petition from the residents of the City of Pittsburgh requesting a public hearing on the Fiscal Audit of the Bureau of Building Inspection's monitoring of coin operated mechanical devices. (This petition is valid in accordance with Section 320 of the Home Rule Charter.)

Which was read and referred to the Committee on Public Safety.

Also,

No. 1803 Petition from the residents of the City of Pittsburgh requesting a public hearing on the Performance Audit of the Department of Public Works Street Lighting Division. (This petition is valid in accordance with Section 320 of the Home Rule Charter.)

Which was read and referred to the Committee on Public Works.

UNFINISHED BUSINESS

The Chair presents

Bill No. 1804 Communication from Richard S. Caliguiri, Mayor, City of Pittsbugh, returning with his veto of Council Bill No. 1600, entitled: "An Ordinance amending the Pittsburgh City Code, Title I - Administrative, Article IX - Boards, Commission and Authorities, Chapter 174 - Vacant Property Review Committee - 174.01 Creation and Powers."

Which was read, received and filed.

Also,

Bill No. 1600 An Ordinance amending the Pittsburgh City Code, Title I - Administrative, Article IX - Boards, Commission and Authorities, Chapter 174 - Vacant Property Review Committee - 174.01 Creation and Powers.

Which was read.

(MAYOR'S VETO LETTER)

November 21, 1984

Honorable President and Members
CITY COUNCIL
CITY OF PITTSBURGH

Dear Mr. President and Members:

I am returning as vetoed Council Bill No. 1600 for the reasons set forth in the City Solicitor's Opinion dated November 21, 1984, a copy of which is attached.

Very truly yours,

RICHARD S. CALIGUIRI

RSC:mrb
enclosure

(CITY SOLICITOR'S OPINION)

November 21, 1984

Honorable Richard S. Caliguiri, Mayor

City of Pittsburgh

Re: Council Bills No. 1600 and 1605

Dear Mayor Caliguiri:

I have reviewed Council Bill No. 1600 as well as No. 1605. Both bills provide that any change in administrative procedure shall be filed by the City Council and reviewed and approved by City Council and the Mayor. These bills attempt to give to City Council the power to control your administrative actions or the actions of an administrative committee.

Section 201 and 301 of the Charter vest the executive, administrative and law enforcement powers of the City in the Mayor, and the legislative power in the Council. Bills 1600 and 1605 purport to give to the Council a veto over procedures which only you or an administrative official are empowered to promulgate. A power does not inhere in the legislature if it has been entrusted to another co-equal branch of government. Cmwlth. v. Sutley, 474 Pa. 256, 378 A.2d 780 (1977)..

As the Delaware Supreme Court stated in Opinion of the Justices, a case dealing with an attempt by the Legislature to transfer an administrative division to a legislative agency, 380 A.2d 209 (1977),

> "The Doctrine of Separation of Powers is a rule forbidding one branch of government from exercising powers exclusively assigned to another, and forbidding one branch of government from allowing its powers to be exercised by another branch. . . A function inherently legislative may not be delegated to the executive or to the judiciary; and similarly, functions executive or judicial in nature may not be delegated to one of the other branches of government."
>
> "Frequently, over the years, the U.S. Supreme Court has recognized the continuing validity of the Doctrine of Separation of Powers . In the Sinking Fund Cases, 99 U.S. 700, the Court said, 'One branch of the government cannot encroach on the domain of another without danger. The safety of our institutions depends in no small degree on a strict observance of this salutary rule.'"

Citing Antieau, Modern Constitutional Law, Section 11.13, the Court noted that a purpose of the Doctrine is "to safeguard the independence of each branch of government and protect it from domination and interference by the others."

In holding the attempted legislative action unconstitutional and invalid, the Court noted,

> ". . . obviously, the objective of the legislature was simply 'one of establishing its superiority over the executive department in an area essentially executive in nature.'"

In Cmwlth. v. Warwick, 185 Pa. 623 (1878), a case dealing with the issuance of certain types of licenses, the Pennsylvania Supreme Court said,

> "The power being administrative in its nature

and lodged in an executive department; it cannot be controlled by councils. . . The resolution was therefore beyond the power of councils and of no effect."

Accordingly, it is the opinion of this department that both bills are illegal to the Pittsburgh Home Rule Charter and should be vetoed.

Very truly yours,

D. R. Pellegrini
City Solicitor

DRP:mrb

(END OF INSERT)

Also,

Bill No. 1805 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, returning with his veto of Council Bill No. 1605, entitled: "Resolution approving the procedures for the administration of UDAG/HODAG grants as submitted by the City Solicitor as provided for in Resolution 1065 of 1983 as amended by Resolution No. 722 of 1984."

Which was read, received and filed.

Also,

Bill No. 1605 Resolution approving the procedures for the administration of UDAG/HODAG grants as submitted by the City Solicitor as provided for in Resolution No. 1065 of 1983 as amended by Resolution No. 722 of 1984.

Which was read.

(MAYOR'S VETO LETTER)

November 21, 1984

Honorable President and Members
CITY COUNCIL
CITY OF PITTSBURGH

Dear Mr. President and Members:

I am returning as vetoed Council Bill No. 1605 for the reasons set forth in the City Solicitor's Opinion dated November 21, 1984, a copy of which is attached.

Very truly yours,

RICHARD S. CALIGUIRI

RSC:mrb
enclosure

(CITY SOLICITOR'S OPINION)

November 21, 1984

Honorable Richard S. Caliguiri, Mayor
City of Pittsburgh

Re: Council Bills No. 1600 and 1605

Dear Mayor Caliguiri:

I have reviewed Council Bill No. 1600 as well as No. 1605. Both bills provide that any change in administrative procedure shall be filed by the City Council and reviewed and approved by City Council and the Mayor. These bills attempt to give to City Council the power to control your administrative actions or the actions of an administrative committee.

Section 201 and 301 of the Charter vest the executive, administrative and law enforcement powers of the City in the Mayor, and the legislative power in the Council. Bills 1600 and 1605 purport to give to the Council a veto over procedures which only you or an administrative official are empowered to

promulgate. A power does not inhere in the legislature if it has been entrusted to another co-equal branch of government. Cmwlth. v. Sutley, 474 Pa. 256, 378 A.2d 780 (1977)..

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> "The Doctrine of Separation of Powers is a rule forbidding one branch of government from exercising powers exclusively assigned to another, and forbidding one branch of government from allowing its powers to be exercised by another branch. . . A function inherently legislative may not be delegated to the executive or to the judiciary; and similarly, functions executive or judicial in nature may not be delegated to one of the other branches of government."

> "Frequently, over the years, the U.S. Supreme Court has recognized the continuing validity of the Doctrine of Separation of Powers . In the Sinking Fund Cases, 99 U.S. 700, the Court said, 'One branch of the government cannot encroach on the domain of another without danger. The safety of our institutions depends in no small degree on a strict observance of this salutary rule.'"

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In holding the attempted legislative action unconstitutional and invalid, the Court noted,

> ". . . obviously, the objective of the legislature was simply 'one of establishing its superiority over the executive department in an area essentially executive in nature.'"

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> "The power being administrative in its nature and lodged in an executive department; it cannot be controlled by councils. . . The resolution was therefore beyond the power of councils and of no effect."

Accordingly, it is the opinion of this department that both bills are illegal to the Pittsburgh Home Rule Charter and should be vetoed.

Very truly yours,

D. R. Pellegrini
City Solicitor

DRP:mrb

(END OF INSERT)

The Chair:

If I understand these two bills at least the posture they presently are in, there are not enough members here even

if it were their desire to override the Mayor's veto. I will make a motion to approve and let's get the vote cast at least, but in either event it will not make any difference in the final result.

Mr. O'Malley moved to override the Mayor's veto.

Mrs. Masloff seconded the motion.

The Chair:

Is there any discussion on the veto?

And on the question, "Shall the veto pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

AYES none NOES 5

(VOTING NO:)

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

And there not being two-thirds of the votes of Council in the affirmative, the veto is sustained.

REPORTS OF COMMITTEES

Mr. Wagner for Mr. Woods presented

Bill No. 1806

Report of the Committee on Finance for November 20, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with a **NEGATIVE** recommendation,

Bill No. 1629

A Resolution entitled, "Resolution authorizing Pittsburgh City Council to hire an individual to serve as Council's Legal Advisor for the purpose of providing City Council with legal opinions and other legal services and advise relative to the operation of the City of Pittsburgh." **—(SPONSORED BY MICHELLE MADOFF)**

Which was read.

Mr. Grabowski

I make a motion to recommit Bill No. 1629.

Mr. Wagner seconded the motion.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Wagner
Mr. Grabowski	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 5 NOES 1

(MRS. MASLOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Also, with an affirmative recommendation,

Bill No. 1690

A Resolution entitled, "Resolution Repealing Item G of Resolution No. 229, approved April 3, 1984, which authorized the sale of property in the 13th Ward, being a 2 Story, Brick Duplex house and 4-1 Story C. B. Garage, located at 7721 Hamilton Avenue, designated as Block 174-R, Lot 276 to Carolyn V. Callahan, for the sum of $25,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Stone (Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1721

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Amaral & Neumeyer, Inc. (Fred Neumeyer, President), in the amount of Seven Thousand Five Hundred ($7,500.00) Dollars, in payment for an Emergency Contract for the removal of asbestos material existing within the Oliver Bathhouse, 10th and Bingham Streets, Pittsburgh, Pennsylvania 15203; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Stone (Pres't)

AYES 6 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1723

A Resolution entitled, "Resolution providing for the transfer of funds in the amount of $5,000.00 from Code Account 45, Index Code 004507, Health Insurance, Department of Finance to Code Account 1016, Index Code 101618, Salaries Regular Employees, Office of the Mayor."

Which was read.

Also,

Bill No. 1724

A Resolution entitled, "Resolution authorizing the correction of an erroneous deposit of $21,420.22 to the Property Management and Maintenance Program Trust Fund (PMAMPTF) by authorizing the payment of $21,420.22

from PMAMPTF to the Trustee for the Three Taxing Bodies."

Which was read.

Also,

Bill No. 1740

A Resolution entitled, "Resolution transferring $12,000.00 from Code Account 1830 (Index Code 183004), Salaries, Regular Employees, Bureau of Recreational Activities to Code Account 1832 (Index Code 183202), Wages Temporary Employess, Bureau of Recreational Activities in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 1752

A Resolution entitled, "Resolution transferring the sum of Three Hundred Fifty Thousand Dollars ($350,000.00) from the Unrestricted Cash Account, Department of Engineering and Construction Bond Fund, to the Unrestricted Cash Account, Department of Public Works, Bond Fund."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Stone (Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 1807

Report of the Committee on Public Works for November 20, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1709

A Resolution entitled, "Resolution granting unto Robert and Mary Lou Stofesky, their successors and assigns, the privilege and license to construct, maintain and use, at their own cost and expense, a porch and step encroachment on a portion of the sidewalk at 72 South 19th Street in the 17th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1710

A Resolution entitled, "Resolution granting unto Affordable Love, Inc., their successors and assigns, the privilege and license to construct, maintain and use, at their own cost and expense, a planter box on a portion of the sidewalk at 2230 Saw Mill Run Boulevard in the 32nd Ward of the City

of Pittsburgh."

Which was read.

Also,

Bill No. 1711

A Resolution entitled, "Resolution granting unto the Peoples Natural Gas Company, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, two (2) vaults in a portion of the sidewalks of Greenfield Avenue, 15th Ward, and Coltart Street, in the 4th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1712

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts or for the use of existing Contracts for equipment, services, and supplies for the purchase and installation of a video tape playback system to service the City of Pittsburgh Government Communications Cable Channel and the Municipal Services Channel, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Stone (Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Malley for Mr. Robinson presented

Bill No. 1808

Report of the Committee on Planning, Housing and Development for November 20, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1640

A Resolution entitled, "Resolution supplementing Resolution No. 849 enacted September 17, 1979, approved September 20, 1979, entitled: 'Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the Giant Eagle Distribution Center Urban Development Action Grant Project; providing for the execution of a Grant Contract and for the filing of requisistions and other data; approving the Giant Eagle Distribution Center Urban Development Action Grant Project; providing for required assurances; providing for exeuction of payment vouchers on letter of credit and for certification of authorized signatures, creating a special trust fund in connection with the project; and providing for the deposit of the funds in

a bank account', by adding a provision authorizing the City of Pittsburgh to submit to HUD a financial status report and related certification and to enter into a Grant Close-out Agreement with HUD."

Which was read.

Also,

Bill No. 1749

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the U. S. Department of Housing and Urban Development for a grant in connection with the Manchester/Calbride Housing UDAG Project; providing for the execution of a grant agreement and related documents, and for the filing of requisitions and other data, approving the Manchester/Calbride Housing UDAG Project, providing for required assurances, providing for the execution of payment vouchers on letter of credit and for certification of authorized signatures, creating a special trust fund in connection with the project, and providing for the deposit of the funds in the bank account."

Which was read.

Also,

Bill No. 1750

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the Motor Square Place UDAG Project, providing for the execution of a grant agreement and related documents, and for the filing of requisitions and other data, approving the Motor Square Place UDAG Project, providing for required assurances, providing for the execution of payment vouchers on letter of credit and for certification of authorized signatures, creating a special trust fund in connection with the project, and providing for the deposit of the funds in the bank account."

Which was read.

Mr. Wagner:

Mr. President and members of Council, I would like amend Bill No. 1750 for Councilman Robinson and add to it the following section, "Section 13. It should be expressly understood that it is the full intention of Council that, should this application be approved by HUD, the Mayor will direct the URA to use all relevant resources to assist the owner/occupant of the to-be-acquired property, Creative Productions, Inc., to locate an alternative site within the City of Pittsburgh limits suitable for its operation."

Mrs. Masloff seconded the motion.

Mr. O'Malley:

Could you read that again, please?

The Chair:

It's not a condition it's a request that the present owner be relocated. I think it would have been better doing that by letter rather than cluttering up the legislation, frankly.

Mr. Wagner:

Well, there was considerable discussion last week when this bill came up and the purpose for the discussion is that there is a company presently located at the Motor Square Garden that employs 80 people and the renovation of this building - they are required to move,

and it's critical that we keep these 80 jobs in the City of Pittsburgh, and this amendment, what it's doing is strongly suggesting that this City do everything possible to accomplish that.

The Chair:

The intent is good there's no question about that.

Mr. O'Malley:

Who's responsible for accomplishing thaf, have we designated a department?

Mr. Wagner:

Two departments the Planning Department and I suspect the URA.

The Chair:

So, there would be no question of it, that's not a condition to grant any of this, but what it is is a strong desire and attempt from City Council that we not replace a job with a job rather that we keep what we have and add to it, and it's a good idea.

Mr. Grabowski:

Mr. President, before I vote I'd like to ask that that bill that we just amended be recommitted so we can study that amendment a little further.

The Chair:

Steve, let me try again, my first thoughts are it should have been done in a letter rather than the bill, but since it's not a condition it will not namely thwart what is intended in the bill. It's just saying that we would like for the Mayor with this as well that he try to preserve what is there. If it were a condition I would ask that it be removed. In fact, I still think it would be better, but nevertheless —

Mr. Grabowski:

In that amendment we get very specific and we refer to the owner/occupant Creative Productions, Incorporated, and I don't think that that sort of language should be in our legislation.

The Chair:

My preference would be to agree with you, that it should be as a side letter, but I don't see that it harms it all it is is an intent with it, and it shows Council the same that we approve the new project.

Mr. Grabowski:

Well, am I proper in asking for this to be recommitted?

The Chair:

Yes.

Mr. Wagner:

Yes, Councilman Grabowski, it was mentioned last week at the meeting by Mr. Brophy, that this had to be filed this UDAG had to be filed by November 30th, therefore, we would have to vote positively on this legislation prior to that. Today, being the 22nd the next possible time we would be voting on it would be passed the November 30th deadline.

Mr. Grabowski:

All right, in light of Councilman Wagner's explanation record me as no on the amendment, but aye on the bills.

WHICH MOTION PREVAILED.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Stone (Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Grabowski presented

Bill No. 1809

Report of the Committee on General Services for November 20, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1717

A Resolution entitled, "Resolution Repealing Resolution No. 93, approved February 23, 1984, effective March 2, 1984, entitled: 'A Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the furnishing and delivery of Manual Typewriters, less trade-ins, for the Department of Police, Code Account No. 1452 (145201), Equipment and Machinery; and for the payment of the costs thereof.'"

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Stone (Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff for Michelle Madoff presented

Bill No. 1810

Report of the Committee on Water for November 20, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1714

A Resolution entitled, "Resolution providing for the acceptance of approximately 300 feet of 6" water line and fire hydrant, running in an easterly direction on Meta Street from a connection to an existing 6" water line in

Oneida Street, 19th Ward, City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Stone (Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mrs. Masloff:

On behalf of Michelle Madoff I want to present the following Resolution.

Mrs. Masloff for Michelle Madoff presents

Bill No. 1811 WHEREAS, the role of women needs to be expanded in society; and

WHEREAS, the accomplishments and achievements, both professionally and personally, of women in our society have largely been underrated; and

WHEREAS, Juanita Means taught with the Pittsburgh Public Schools for 29 years; and

WHEREAS, in 1955 Ms. Means went to Larimer School and was the first special education teacher; and

WHEREAS, through the dedication of Juanita, strategies and techniques were developed and the small special education department of the fifties evolved into the Department of Exceptional Children which today employs hundreds of teachers and other staff personnel and serves thousands of Pittsburgh school children; and

WHEREAS, Ms. Means helped organize P.A.R.C., an organization founded in 1945 and now known as Association for Retarded Citizens; and

WHEREAS, Ms. Means was involved with Camp O'Connell for retarded children, a first for the Pittsburgh area; and

WHEREAS, she organized both the first "Negro College Night Class" in Pittsburgh, and "Alpha Gamma", the first interracial sorority.

NOW, THEREFORE,

BE IT RESOVLED, that the Mayor and the members of the Council of the City of Pittsburgh recognize Juanita Means as "Woman of the Month" for her years of service with the Pittsburgh Public Schools and for her tireless work for the education of all exceptional children.

Mrs. Masloff moved to adopt the resolution.

Mr. Givens seconded the motion.

Which motion prevailed.

Mrs. Masloff:

We have with us Ruth Guerra, Dr. Ronald Conant, and Helen Phinisee.

Ms. Means:

Good afternoon, I want to say thank you for the many boys and girls whose lives we have touched. It would have been impossible for me to share this reward by myself for the great pioneers who pioneer the field for special children we are very very greatful.

Also, the progress couldn't have been made without sharing this award with the people who I have worked with for years who have helped us to develop the type of education and programs that we've wanted to do, and things that we've wanted to do for our children.

Conroy Educational Center has one of the greatest schools in the world. I'm saying to the Councilmen be proud of Conroy Educational schools it's a part of your City. Pittsburgh has a lot to be thankful for. We do try in our humble way try to help all citizens, and our special children are a part of your City, and we are very very greatful to them, and to you for honoring us today.

Now, I want all of my co-workers to stand, this is not all of them, this is just a part of them. You folks back there stand, they're my co-workers I want you to see them. These are people who have dedicated their lives for our children, and we are very very greatful, and we're thankful that you took the time out of your busy schedules to share a part of our great program; and we are very very happy for my church, the members of my church are here, I'm very greatful.

Part of my family is here not all of them but just part of them are here. Above all my good friends my good neighbors are here to share this event with me, and I'm very happy to share it with you the Councilmen, and also, the City of Pittsburgh, and I want to say thank you a million times for all those wonderful boys and girls throughout Allegheny County and the City of Pittsburgh and the Board of Education. Thank you very much.

I forgot to tell you I'm one those special people who don't hear well.

Dr. Conant:

I was asked to say a few words I'm a bit surprised that I was, and so I'm not sure what to say other than that many of us have known Juanita for many years in the Pittsburgh Public Schools. I have found her in all the years I've worked with her as a coordinator, as someone who I could go to and talk with honestly and candidly about any problems whether it be with a student or in the classroom, and she's always been very cooperative with myself and the other staff that I've worked with.

Also, she has been open and willing to share with younger persons like myself her experience as a teacher and as a human being here in the City of Pittsburgh, and me coming from another city Boston to Pittsburgh I've gained a great deal both as a person and as a school Administrator in working with her, and so again, for myself and other staff from Pittsburgh schools we are deeply honored that you have recognized her and her worth as a person and as a teacher. Thank you very much.

Mr. Wagner:

Mr. President and members of Council this following resolution is from Councilwoman Michelle Madoff, who couldn't be here today. I'm going to read

it and with us are Laura Grignano, her very proud father Mr. Grignano, her coach George Rudolph, and the Principal of her school Sister Bridget Marie Brandon.

Mr. Wagner for Michelle Madoff presents

Bill No. 1812 WHEREAS, Laura Grignano has competed in cross country running with enthusiasm, dedication, and success for four years; and

WHEREAS, Laura has been an inspiration to and leader of her team members with the courage and determination needed to win; and

WHEREAS, Laura qualified to attend the WPIAL Cross Country Championships by winning the WPIAL Qualifiers held on October 18 at Mingo Park with a time of 18:07; and

WHEREAS, Laura qualified to attend the PIAA Cross Country Championships by placing first in the WPIAL Cross Country Championships held on October 25, 1984, at Hartwood Acres with a time of 18:57, the fastest time run on this course; and

WHEREAS, Laura won the Pennsylvania Interscholastic Athletic Association Cross Country Championship on Saturday, November 3, 1984, at Lehigh University with a time of 18:20.9 on the 5,000 meter course; and

WHEREAS, Laura, as the first resident of the City of Pittsburgh to be the State Women's Cross Country Champion, is a model to all high school athletes because she has balanced athletic achievement and academic talent.

NOW, THEREFORE,

BE IT RESOLVED, by the Mayor and Members of Council of the City of Pittsburgh that Laura Grignano be commended for her outstanding athletic achievements and recognized as the PIAA Women's Cross Country State Champion of 1984.

Mr. Wagner moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Wagner:

I'd like to present this Resolution to Laura and ask her or anyone else if they would like to say a few words.

The Chair:

I think we ought to hear from Laura.

Laura Grignano:

I just want to thank everybody for coming down, and for always running with me all the time, and for my coach George who really helped me along all the way, and for my mom and dad, and for Sister Bridget Marie, thank you very much.

Mr. Rudolph:

I just like to say we have a lot of association with the City of Pittsburgh being a Catholic school and not having track or cross country facilities we use the City facilities in Schenley Park both for track and for cross country, and Mr. Givens' daughter here still holds the triple jump record at Sacred Heart High School.

So, we have a lot of things in common and we work with the City and we're thankful that you've honored us and

Laura here today, and again she's the second one from this side of the state and the first one from the City of Pittsburgh. She's a State Champion and I'm just honored and I'm here with her.

The Chair:

Laura, since your young and have a lot of energy we have another surprise for you. Mr. Talarico is representing the Mayor of the City of Pittsburgh.

Mr. Talarico:

Thank you, Mr. Stone, this is a personal pleasure to represent Mayor Caliguiri today, because Laura's father is my tennis partner every summer, and he gets to beat me so, I'm looking forward to it again.

On behalf of the Mayor, Laura I have a little gift here for you, and besides that, I'm the guy that you keep running by in the trails on the weekends because I jog and you run, but this is a pewter plate of the new sky line of the City and the Mayor asked me to give this to you, and to congratulate you, your parents, your coach, and Sister Bridget Marie from Sacred Heart, congratulations.

The Chair:

Laura do you have aspirations ahead for the Olympics? We wish you luck.

The Chair presents

Bill No. 1813 WHEREAS, the Almighty God, in His infinite wisdom, has removed from our midst, by death, the Reverend Martin Luther King, Sr. on Sunday, November 13, 1984; and

WHEREAS, the Reverend King, affectionately known as "Daddy" King and father of slain civil rights leader and Nobel Peace Prize winner Martin Luther King, Jr., was a patriarch of the civil rights movement who taught his famous son from childhood the precepts that changed a nation; and

WHEREAS, it was said of Reverend King Sr. at his funeral that the civil rights movement, the Christian church, the city, the state, the nation and the world have lost one of the most powerful forces on behalf of justice and equality; and

WHEREAS, Reverend King, who preached love and forgiveness, was deeply loved by many people and will be greatly missed.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of Pittsburgh City Council hereby express grief and sorrow over the death of Reverend Martin Luther King, Sr., whose very life was a source of inspiration to peace and love, and may this Resolution be spread upon the minutes of the Council of the City of Pittsburgh as a lasting tribute to his memory.

Mr. O'Malley moved to adopt the resolution.

Mr. Grabowski seconded the motion.

Which motion prevailed.

The Chair:

If the Chair may, I deem it a personal honor to have presented this resolution for a specific reason. I'm going to read an excerpt from the Newsweek magazine which I think is very apropos. It mentions that Daddy King was a share croppers son who plowed cotton behind a mule he grew up to be

the patriarch of the civil rights movement, the father of Nobel Prize winner Martin Luther King, Jr., and a civil rights hero in his own right. From the Ebenezer Babtist pulpit where he preached for 44 years, Daddy King helped shape the destiny of a nation; and then the next one I think is even more important.

Personal tragedy always seems to stalk King's public triumphs. He lost two sons; Martin, to an assasins bullet in 1968, and his youngest J. D. in a drowning accident a year later. In 1974 Alberta his wife of almost 48 years was gunned down by a madman as she played the church organ.

Steely, exhorted his family to be thankful for what we have left and he said he harbored tb bitterness in his 1981 autobiography he wrote, nothing that a man does takes him lower then when he allows himself to fall so low so as to hate anyone. What more need be said then this man was a man of moral conviction.

Mr. Wagner:

Mr. President and members of Council, this next resolution is being presented by both myself and Councilman Grabowski, it's a result of an alternative development proposal that we have looked at in depth, and I think the best thing we can do is probably read this resolution then go over some visual aids that we have to show you explaining what we're trying to accomplish here.

Mr. Wagner and Mr. Grabowski present

Bill No. 1814 WHEREAS, a recent proposal for development around the Three Rivers Stadium area has been recommended by the Planning Department. This development proposal must have considerable up-front capital (20-50 million) to get off the ground. The up-front public funds must be spent for the following:

* Re-locate the road system (5.2 million)
* Construct a four-tier parking garage and additional parking lots
 (garage-23 million, cost of lots - unknown)
* Install public crosswalks (2.4 million minimum)
* Considerable infrastructure work including water, sewer lines and public space improvements (public space - 7.8 million; water & sewer - unknown)

WHEREAS, developers will not invest in the Stadium property under the propcsal presented without this up-front public capital investment. And with this public capital investment there is no assurance of success with this development proposal. A barrier (the Allegheny River) will always exist between the Downtown and the Stadium Area. It has been further proposed to install a horizontal elevator to bridge this barrier. Private funding (10-15 million) is a serious problem and the success of the entire project is dependent on this key element.

WHEREAS, major inconveniences will exist during construction for the tenants of the Stadium (Pirates and Steelers) and after construction with a four-tier parking garage. The proposal as suggested may in fact, harm the existing tanants at the Stadium rather than enhance this sports arena, and may jeopardize Key Pittsburgh Companies (Clark Candy, Kaufmans, Miller Printing Machinery Company and U.S. Steel and Supply) located directly adjacent to the stadium property.

WHEREAS, major emphasis toward

development in Pittsburgh should be geared to enhance the ailing Convention Center and the Downtown. A significant amount of property (30-50 acres) is presently available for development in the Strip Area along the Allegheny River. The close proximity of both the Convention Center and the Downtown, within walking distance, is the key element to insure an economically healthy development. In addition less up-front public capital would be necessary.

WHEREAS, it is estimated that 3,000 jobs would be created within 5-10 years with the Stadium Proposal. A major development in the Strip Area would create 3,000 to 5,000 jobs within 2 to 5 years. The economic survival of the Convention Center would be assured and the Downtown Business Area would be enhanced. The spin-off effect of this development includes the need for additional downtown hotels and the development of a tourism industry in Pittsburgh. The Strip Area Proposal has the greatest potential for short range growth of jobs in Pittsburgh.

NOW, THEREFORE,

BE IT RESOLVED, that the Members of Pittsburgh City Council request re-evaluation of the Three Rivers Stadium Proposal, and for this re-evaluation to include development more consistent with the needs of the long-term tenants at the Stadium. And a committment be made by the Administration to initiate a development plan similar to Baltimore's Inner Harbor adjacent to the Convention Center in the Strip Area.

Mr. Wagner:

Now, prior to making a motion and voting on this, Councilman Grabowski and I have some visual aids to help show you what we're trying to accomplish, and I think the best thing we can do is take a look at those slides and other visual aids that we have.

(SLIDE PRESENTATION BY MR. WAGNER AND MR. GRABOWSKI)

Mr. Wagner:

The first slide that I'm going to show you is probably the most important slide in the group here, and it's Baltimore's Inner Harbor. Along the downtown area in Baltimore what may exist is a facility this whole development is in close proximity within walking distance of downtown Baltimore. These are all the major facilities in downtown Baltimore. One additional key element here is that it's two blocks from the water, the water is also part of downtown Baltimore. Those two key elements of this development being part of downtown Baltimore, and the close proximity of the Convention Center. It is the major reason why Baltimore's Inner Harbor is one of the number one attractions in the United States.

Let's take at a look at what Baltimore's Inner Harbor looks like and it's nothing magnificent it's actually a very simple development. It has a dock, it has boating, and if you notice in this slide you can see the downtown area.

This is another photo of the Inner Harbor Ferry. This area is not as pretty as the riverfront area in the City of Pittsburgh. You can go there any day from spring to fall, and you literally see thousands of people walking any time during the day or the evening.

They have six hotels under construction in downtown Baltimore. The purpose of this slide is show you a boat that is docked here from Miami it's difficult to see. People actually come as

far away as Miami down to Baltimore's Inner Harbor.

They have conventions constantly. Here is a bus parked adjacent to the inner harbor it's from Little Rock Arkansas and Houston, Texas. It had senior citizens on it the day in which I was in Baltimore and took this slide.

Here is the Maryland Time Center which is part the Baltirmore Inner Harbor. We are proposing to build our Science Center away from the City of Pittsbugh.

Here is another shot of Baltimore Inner Harbor and a number of people that are there on a daily basis, and as you can see in the background this is a new motel under construction. We are having trouble getting one hotel off the ground in the City of Pittsburgh. Baltimore right now has ground broken on six new hotels in downtown Baltimore. Why, because this development is in a downtown area close to the Convention Center the downtown area the development and the Convention Center all help each other.

Now, let's take a quick look at Baltimore Inner Harbor. Let's see what is being proposed in the City of Pittsburgh in and around the stadium area. This slide is very difficult to see do to the light, but it's a shot of the City of Pittsburgh.

This is an aerial shot of the City of Pittsburgh with the stadium over here and the proposal that has been suggested to be in this area, and what Councilman Grabowski and I are suggesting is a development in this area.

Here is a shot of the stadium area. The proposed development area of the stadium has some serious serious problems. The number one problem as indicated before is a natural barrier of the Allegheny River separating the downtown area and the stadium area. There is also limited amounts of property available around the stadium. As you can see here's the North Printing and Machinery Company and this area is Kaufmanns. There are problems to improve or to increase the amount of property available in this area, in addition in order for this development to work all of this parking that you see must be relocated into a four tier parking garage right here on the stadium property. Can you imagine all of these cars in the four tier parking garage before or after the Steeler game trying to get in or out.

Here is another view as you can see going north if there is a need to ever enhance or extend this development propcsal; what must happen? Kaufmanns must move northerly, Machinery must move, Clark Candy must move or U.S. Steel must move, and behind here is all area that has been developed.

Here's a better visual of where all those spots are proposed to be in a four tier parking garage.

Here's a slide looking in the other direction with some of the other problems of the location with the U.S. Steel Company and Supply right in this area. Now, remember under the proposal that has been suggested this entire road system must be relocated. In order to do that you'll have construction on these two lots. These parking spaces must be put over on this side of the stadium. There will have to be a pedestrian cross walk for additional parking areas. There has to be considerable public money's spent just to bring a developer in to look at the structure.

Here's another view and as we indicated earlier a key element in this

development is a horizontal elevator, would have to be constructed to downtown Pittsburgh.

Now, what we would like to look at and here's where Councilman Grabowski is going to take over is the alternative location that we're suggesting.

Mr. Grabowski:

This should be a familiar sight to most of you; this is of course downtown Pittsburgh. Here we have our Convention Center. As you recall, Councilman Wagner pointed out very clearly how essential it was or one of the things that made the inner harbor work was that their Convention Center was adjacent to downtown, as well as their Fun Center, their Urban Mall. This is the sight that Councilman Wagner and I believe that Fun Center should be built. Very similar again to Baltimore you have the downtown area your Convention Center, and this is where the development should be. People would have easy walking; it is adjacent to our Cenvention Center. Not only do we have this area but the area continues. It would have to be virtually no relocation. The area I believe that — right now there's approximately 40 acres here that can be developed immediately, and probably very little public money would have to be expended to initiate this development.

Mrs. Masloff:

Who owns that property now, Steve?

Mr. Grabowski:

Most of it is owned by the Buncher Development Corporation, and it's our understanding that they're very anxious to develop that spot, but they do need some assistance from the City.

All right, again here's a close up of the area. You can see the new highway going in, the I2-79; that should give you a better reference point. Again, nothing would have to be relocated here; the area is vacant.

Here's another view. Progressing up here's the Sixteenth Street Bridge, and on the opposite side of the bridge there's still a good bit of vacant area.

Again, the Sixteenth Street Bridge is the area that we're hoping can be developed and we feel that once this development starts it will just progress. Here we have much open space; we hope it will keep on going. Right here, this is a facility that the City has already invested a million or more dollars in renovating to try to attract people to the Strip area. This development that we're talking about should enhance that facility as well.

All right, we're progressing up the Allegheny River even further. This is the Armstrong Cork Building. We understand that there is a developer currently interested in making loft apartments out of this facility; however, he's not going to go in there right now unless he gets a commitment that some development will start here. He doesn't want to be an island isolated from all the action.

There again, a broader view. There's the Armstrong Cork Building. Now, we're getting into some industrial areas here, but none of this area is being used to its full capacity. We feel that development there would lend to these buildings being utilized at a much greater capacity.

All right, there's a larger view. Here we have the City garage for point of reference. This you'll see is the southerly tip of Herr's Island, or the

westerly tip I would guess; a potential development sight right there.

Now, we're back to downtown. This is yet a broader view, and here again we have downtown, the Convention Center, and our proposed development sight. I should mention that even further up the river — we don't have slides going that far — but around the Fortieth Street Bridge there are hundreds of acres that are currently owned by Conrail that are laying idle, and if things take off here that was a potential development sight as well.

Now, this is back to Baltimore. This is their harbor and the harbor itself. There's nothing aesthetic about it and I think Councilman Wagner indicated that our riverfront is more attractive than this; there's nothing but some old industry around there. What makes it attractive was the development that happened adjacent to the downtown area.

All right, again that first slide; their downtown, their Convention Center, and where they developed.

Here's our downtown, our Convention Center, and where we think we should develop, and what happened in Baltimore can certainly happen in Pittsburgh.

Mr. Wagner:

I'd just like to add a couple of real quick points on this if you stop and look at what we have done, what public funds, and what access has been made to this Convention Center, which we all know is a white elephant in the City of Pittsburgh. It's not working the way it was intended to work. The question is why, because we have ignord development around the Convention Center. What else are we doing around the Convention Center, what has been done?

Well, the Port Authority has built the East Bus Way that comes right in the old Penn Central area, it stops right here. There is a new light rail transit system under construction coming from the South Hills, that will come into this point also.

There is right now a new highway being built across the Allegheny River right over this area. Very close to this area you have the Civic Arena, very close to this area you have proposed and when I say proposed I mean proposed four potential hotels in downtown Pittsburgh. One, being Grant Liberty, another one being somewhere in the area of One Mellon Bank Center, another one being the DeBartolo Office potential hotel complex, and there's another somewhere up in this area, but everything is downtown Pittsburgh; and what we're proposing to do, the Administration is to take a major development, and put it over here when it should fit right here. When it could be supported very easily by the downtown and also the Convention Center.

As I indicated earlier, I think a development proposal of this type is the best way this City can create jobs over the short range in the City of Pittsburgh, and that is pretty much our resolution, and I hope each and everyone of you support it, thank you.

The Chair:

Thank you both.

Mr. Wagner moved to adopt the resolution.

Mrs. Masloff seconded the motion.

Mr. Givens:

I think what both of my colleagues have done is been a real good job of research and everything else, and I commend them for their efforts in this particular area. However, like any major planning effort one has to give it great concern and great consideration. I have not been to Baltimore on the east coast, I have to appreciate what's in the corridor between New York and going down into the Norfolk area where you have large groupings of people. If you look at the United States from a population density you'll see that Baltimore has much more population in and around it than surrounding areas nearby even Philadelphia is not very far, Washington D.C., Norfolk, Virginia, all along the Virginia coast line very very developed area from one end of the east coast to the other.

I hate to compare one city against another city I think that sometimes is very dangerous philosophy. I have to look at how big the Convention Center is in Baltimore and I have to say if we're building seven, eight, nine hotels in that particular area to accomodate the convention center it must be unlike that of some of the Convention Centers that I have been to Atlanta, Chicago, Los Angeles, Las Vegas, down in the Texas area, Arizona, most of those are sunbelt areas, but I would have to appreciate probably the Baltimore Convention Center as major as the convention business people would call it a large Convention Center, Pittsburgh is not Pittsburgh is medium if not small I think in comparisons to Convention Centers throughout.

Now, that's not a dig to the people of the City of Pittsburgh. One called it the white elephant and possibly is might be a white elephant but Convention Center business you don't drum up over night and it is a concerted effort, and I think what both Steve Grabowski and Jack Wagner have brought up to develop the other side of the railroad tracks, although I don't consider the rivers at a barrier between the North Side and downtown Pittsburgh. We are the City of bridges and I don't think people unless they get on the rivers appreciate how beautiful the City of Pittsburgh is until they get on those rivers, but there's no barrier here as far as I'm concerned and you can get from the North Side to downtown Pittsburgh very quickly, we have many entities open over there.

Let's go back historically just a little if we might, this City made a pledge to the people who were going to be housed in the stadium, that of the Pittsburgh Steelers and the Pittsburgh Pirates baseball team, and the baseball team took on the greatest commitment a 40 year commitment for some 27 or 28 years remaining of that commitment.

We were scared to death here a couple of years ago before my two colleagues got on Council as to what was going to happen to the Pittsburgh Pirates Baseball Team. There have been many articles put into the newspaper whether or not we would lose them, we're in that midst again, in fact, the team is up for sale, and can it move to other cities, and the answer to that is yes, we can lose it.

If we look at that then we have to look at the total amount of money the tax income that this City Council is going to lose it's in the area of some $50 million a year if we lose that ballteam.

So, why did we get exited about the stadium and the development of that particular area. It was a commitment in the City of Pittsburgh going back some 20, 25 years ago when that stadium was built we put certain amenities out there one, a roadways they had never hooked

up, they are now hooked up. We indicated we'd build hotels out there, we indicated we'd put a marina out there to make that area not just an open parking lot it's too valuable of a land right down to the downtown area. So, we wanted to develop that area we have a commitment to develop that particular area, and a commitment that ties into the Pittsburgh Pirates. One must give that great consideration before we vote one way or the other way here.

Some other things that I might want to say even before any of us with the exception of possibly Bob Stone, before any of us got on this Council, I've been here nine years I have my 10th Anniversary coming up in another month or so, and sometimes that adds wisdom. I had an opportunity to vote on the Convention Center after it was all ready in the ground and that was sad, because its present location is one that is not desirable for one reason only, it does not have that access to the riverfront immediately adjacent to the Convention Center.

Secondly, they have one heck of a barrier up there and it's called a railway track and a bridge. The City of Pittsburgh under previous Administration's had the ability to acquire it for nothing just to leave as a demolition thing.

It's also a railway corridor going from east to west to the City of Pittsburgh to be used for mass transit, transporation in future years we can tunnel underneath railway track hopefully some way to open up the excess on the other side the development that both Steve and Jack are talking about, and I think that should be done I think that approach should be made from this Council to try to develop that particular strip of land, but I would like to see both of them done within the same context, I think we can still go with the Allegheny and the stadium development area over there, and still go along with this development as two gentlemen have just brought up and you're absolutely right; what have we done?

Well, we've done quite a bit to help the Convention Center, we declared much of the downtown area blighted, which upheld to whole area. First of all we started where the U.S. Steel Building is and down around the Market Sqare area we extended that over to the Stanley Theatre in that area a redevelopment area of the redevelopment plan, that was also extended up into the Pennsylvania Railway Station. We have Allegheny International coming in here to build two high tower buildings so we put the amentities into the Stanley Theatre so, you can only do so much at one time, and you have to look at your short-range commitments and your long-range commitments Development doesn't happen over night, and as a result I agreed with what you were trying to say that we have to develop this area. On the other side of the coin I have to look at commitments that this Council has made, that previous Mayor's have made, and that this City cannot back out on.

If we say don't develop the stadium area and devlelop the Lawrenceville Strip District first then what happens to the people that are in the stadium itself? Are they going to stay around because they want action, they want at least the roadways to be connected which have never been done.

Now, that's a commitment that we have and I don't think it's underway, and it's right before us and I don't think any of that's going to change to connect that particular stadium up with the modern interstate system that we have out there today, and that's going to be done, and

that commitment is there.

Comparisons as I have indicated is a little bit dangerous and this is a hard rope to make. I think the request that you're asking for is to re-evaluate and I agree with a re-evaluation. I think with the facts that you have brought forward using Baltimore as an area as what we could do at that convention sight, we should not leave any stone unturned until we look at those prerogatives that this Council can give direction to the Administration.

I don't think we should abandon the proposal that has been made within the last two months on what's going to happen at the stadium. This was an on-going thing especially since I've been here probing it for at least the last six or seven years to get some development, so we come out with a develop plan. You might not like the plan itself I think each Councilperson has to vote on the money's that this Council will appropriate towards that development.

Let's see if we can get a development plan put in and say this is what we're going to do, I think what we have to do now, Steve and Jack, is to get the Administration along with our Planning Department along with the Urban Redevelopment Authority to say, what are we going to do now with the Lawrenceville Strip District?

We know the other end of Lawrenceville is developing very nicely into a market place that's coming back to the old days when I use to drive down there in a street car and it would take you a half hour to forty-five minutes to get from Twenty-Eighth Street down to Eleventh Street because of the traffic jams that are down there. The restaurants are popping up there, the businesses are popping up there, it's absoultely tremendous.

It's abutting an area of Lawrenceville that has been decaying over the years I think that's going to reverse the whole situation down there around the 300 blocks of Pittsburgh right where Penn Avenue and Butler Street come together. I think that whole area is going to be upgraded very shortly. The land is being specualted very highly, but again I have reservations about saying let's put one foot forward here and let's develop this area first via the other area, and I'll stop there.

Mr. Wagner:

May I make one quick comment, Councilman Givens it's my position and I'm sure it's Councilman Grabowski's that we think development should proceed over around the stadium area. However, we don't think what has been proposed is realistic. We don't think it's consistent with what is there now.

I certainly don't think that you can take all those parking spaces and consolidate them in one building and still have 55,000 people going to a Steeler game, they won't go to the Steeler game, they won't park there.

We need the type of development around that stadium that will help the Steeler's and hopefully the Pirates if they're here in the future, and that type of development includes things such as retail and hotels. I think a hotel could be built there tomorrow with no problem. There are developers that want to build a hotel.

The problem that has been suggested in looking at that map is that we change the road system, that we do a whole lot of infrastructure work, and this figure is correct anywhere from $20 to $50 million of up front public capital to prepare that area for development; and I don't think this City can afford spending

that kind of money and not be certain that the development is consistent with the area, and I personally think a Science Center fits in much better with a Convention Center then a sports arena, and I don't think a kiddy park fits in with a sports arena. It may have an appropriate place somewhere in this City, but it's not on that prime property that commercial and retail people would love to locate in.

What we're saying is that's what that property should be used for a major commercial development to draw tourism trade it should be adjacent to the Convention Center.

Mr. Grabowski:

Mr. President, I'd like to respond to Councilman Givens also, by stating that nowhere in this resolution are we saying that the stadium development must be abandoned. We're merely saying that major emphasis should be placed along the Convention Center area and to my knowledge I don't think the City has given much consideration to that area at all, and they should be giving an awful lot more consideration to that sight.

Mr. Wagner:

Mr. President, I'd just like to make one more comment, Counciman Givens, I know you're familiar with construction chairing Public Works just think through the stadium proposal for a moment, it would take a good year to relocat the road system, it would take a good year to build a parking facility, it would take additional time to build public crossways through the road system. They have to change the road system over there, we're probably talking a good three years just to begin to prepare that area for developers, a good three with a lot of up front capital that's not the case in the strip area.

The strip area development could begin tomorrow, it could begin tomorrow from Smallman Street to the river. There's nothing there we're not harming anything, we don't have to relocate anything we can develop the riverfront.

Over at the stadium area they're talking about changing the riverfront, why? It works, it works today, the road system works today, the people are finally familiar with it. We're going to change it all, that's ridiculous we have better ways of spending money in this City, and what we're saying is let's spend it somewhere else. Let's spend it where it will enhance development and where it will produce jobs.

The Chair:

The Chair does not see this resolution as being in contradiction to the Three Rivers Stadium sight. I think there's some different philosophies and different ideas. Nor, does the Chair see it where the resolution is saying nothing has ever been done in the strip, because there have been some things a bunch of programs already started.

I happened to be familiar with the Armstrong Cork Development earlier, and I attended a meeting there with all the ethnic groups in which there was contemplated a condominium high quality, plus on the first floor was going to be multiple different restaurants of different nationalities and ethnic groups as well as craft shops it was a tremendous concept.

Unfortunately, they couldn't get it off the ground and it didn't materialize, but out of that was to be a light rail line which was to go down to the Convention Center, so there's been a lot of efforts, unfortunately, the dreams didn't come to fruition, but nevertheless I think that the concept of looking is okay.

I didn't think it would be necessary to be as specific as my brother Councilmen have put here, but I think in the generalization we're asking for a re-evaluation and is said many many times when two people agree 100 percent one is useless so, let's combine our heads to see and re-evaluate whether or not we might be able to give it an extra look in all sights the Three Rivers Stadium sight, as well as the sight we're now talking about as well as other areas.

I just mentioned to Councilman O'Malley, during the time of the filming if any of you have the opportunity to be in Los Angeles you should see the Century Plaza sight which was to be orginally the concept of the Allegheny Center down to the river they never completed it it's an opportunity to see where it was intended to go, but did not complete.

We're doing a lot, unfortunately, we see a lot of frustration from some of the developers and we should always be looking at our City for ways to improve it.

The Chair:

All in favor signify by saying aye?

WHICH MOTION PREVAILED.

Mr. Givens:

I'm in agreement with what the resolution is saying and I'd like to read it for the record, that a member of City Council requests re-evaluation of Three Rivers Stadium proposal, that doesn't mean to me that we're going to do away with it as you so indicated, and for this re-evaluation to include the development more consistent with an either long-term attendance at the stadium. An attempt should made of the Administration to initiate a development plan somewhat to the Baltimore Inner Harbor adjacent to the Convention Center and the Strip District I'm for that 100 percent.

I think we have been moving on every side of the track, but the side that the Councilpeople have just brought up, and I think it's about time now, that we look at that very earnestly and come up with a good development plan, and again, we can't compare ourselves with Baltimore, Baltimore has a major Convention Center the City of Pittsburgh does not have a major Convention Center; and how many hotels can we have in this City. Go down right now, you know to a local hotel and your hotel associations, and remember the Convention Center is not only the City of Pittsburgh. It is owned it was given to us by a gift from the state through our good state earned money. It's both the state, county, and the city entity with especially the county and the city now working in it.

Any development around the Convention Center should be in conjunction with the State of Pennsylvania with Allegheny County and with the City of Pittsburgh and all 130 some municipalities and at least Allegheny County and our surrounding five county areas. If the Mayor, is talking about the Mon River and the Ohio as a development area we cannot forget about the Allegheny River and the development area up there. We have a huge track of land that has been inundated as that of the J & L sight, etc., over in the Mon Valley along the Allegheny River, and what's going to happen on both sides of the river especially on the Pittsburgh side of the river from Lawrenceville to downtown all the way out to Sixty-seventh Street is nothing but a wasted area with very little development other than that abutting Penn Avenue corridor once you leave there it's just an abandoned open

railways. You try to look at those railways they got most of there power by the use of eminent domain, state eminent domain when rail was number one king, and we can't even touch much of the area abutting the rivers, because Conrail or some other railway owns it and won't give that up even thought they're not using the right of way at this present time and haven't used that right of way, that is the biggest problem is to get in there and re-route some of the railway tracks that we have down there, and use them for some other area, divert them outside the City of Pittsburgh.

The other side of the coin is to look at using that right of way for mass transit, and there's a lot of studies going on in that, so there's a lot of things that enter into this, and I think this should be discussed at more length and with greater participation from our county people and our State Representatives to see what we can do to enhance cost in the Convention Center of the City of Pittsburgh; and not to say that we can't do away wiht that railway track completely, Jack and Steve, but then we can expand the Convention Center out along that river, now, you really have something if we can do away with that bloody railway track, which under previous Administration's they were given the right for one dollar to take that railway track if they would put demolition to it, because it's a very shaky bridge and the railway companies are going to have to do something about it. It's a very dangerous situation too, with high toxic materials being driven right by and through the downtown area. I'd like to divert those tracks, I think the first step that this Council and the Mayor must take is what can we do to direct that traffic from downtown and to another corridor. I think that's very very important. If we can do that we can knock down that bloody wall that's separating the one part of the strip from the downtown part of the strip and then you'll really see some development in that area.

Mrs. Masloff:

Wait a minute, there's one more thing that I want to point out Jack and Steve, and it may be irrelevant I think that the Science Center is committed to stay on the North Side because of the Buhl Planetarium, because of a long time commitment they had to the North Side. So, I think you can include the Science Center in your plans for the strip district. Isn't that your understanding, Mr. Stone? That's mine.

The Chair:

It's growing out of that level, it's a question whether —

Mrs. Masloff:

Because, they're all ready there now.

The Chair:

I don't know so I —

Mrs. Masloff:

I'm a member of the Board and because the Buhl Planetarium is there now they want to be in close proximity with the Science Center so, they may choose to stay somewhere on the North Side, but of course that has nothing to do the other plan.

Mr. Wagner:

Well, I would just like to state that I think that's totally in their hands, where they want to be. I think what this City has to do is simply propose that certain areas be developed and move forward on it and let them make the

decision.

Mr. President, I'd just like to add I would recommend that this Council set up a committee to follow up on this resolution and determine what is being done by the Administration, and I think we should be part of any work that goes on in terms of a major development plan of this type, and I for one would like to sit on the committee.

Mr. Givens moved to excuse Michelle Madoff, Mr. Robinson, and Mr. Woods for absence from the meeting.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Grabowski moved to approve the Minutes of Monday, November 5, 1984 and Tuesday, November 13, 1984.

Mrs. Masloff seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Wagner**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, December 3, 1984 No. 47

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, December 3, 1984

PRESENT:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Michelle Madoff presented

No. 1815 Resolution authorizing and directing the Department of Public Works Bureau of Cable Communications to store and file all video taped recordings of City Council's Regular Legislative Meetings, Standing Committee Meetings, and all other televised official Council sessions as part of the City's official public record.
—(SPONSOSRED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Public Works.

Mrs. Masloff presented

No. 1816 Resolution amending Ordinance No. 100, approved February 27, 1975, which amended Ordinance No. 3, approved January 23, 1975, and which authorized the issuance of a warrant in the amount of $200.00 in favor of Marjorie J. Faloney, Chief Clerk, to establish an Imprest Fund in the Department of Parks and Recreation for use at Schenley Park Ice Skating Rink and South Side Park Ice Skating Rink, by deleting the payee named therein, and naming Louise R. Brown as payee: and by increasing the amount of said Imprest Fund from $200.00 to $400.00, chargeable to and payable from Code Account 1801, Misc. Services, Index Code 180109.

Which was read and referred to the Committee on Finance.

Mrs. Masloff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Also,

No. 1817 Resolution authorizing the issuance of a warrant in favor of Vogelpark Walsrode Zoological Garden, in the amount of $3,920.00 in payment for the purchase of birds for display at the Pittsburgh Aviary, chargeable to and payable from the Aviary Trust Fund Account, Index Code 250209, Department of Parks and Recreation. Prior approval granted by Council Bill No. 1593.

Also,

No. 1818 Resolution authorizing the issuance of a warrant in favor of Fauna & Flora, in the amount of $805.00 in payment for transportation services for birds at the Pittsburgh Aviary, chargeable to and payable from the Aviary Trust Fund Account, Index Code 250209, Department of Parks and Recreation. Prior approval granted by Council Bill No. 1593.

Also,

No. 1819 Resolution authorizing the issuance of a warrant in favor of Access Transportation Systems, Inc., in the amount of $892.80 in payment for transportation services for the Senior Citizen Program, chargeable to and payable from Code Account 1843, Senior Citizens Program, Index Code 184309, Department of Parks and Recreation.

Also,

No. 1820 Resolution transferring $293,000.00 from Code Account No. 1843, Index Code 184309, Senior Citizens Program to Senior Citizens Program Trust Fund, Index Code 254250, in the Department of Parks and Recreation, effective January 1, 1985, and contingent upon the 1985 Budget approval by City Council.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1821 Resolution providing for the establishment of an Imprest Fund for the Pittsburgh Zoo in the amount of $3,500.00, chargeable to and payable from Code Account 1856 Repairs, Index Code 185603, Department of Parks and Recreation.

Also,

No. 1822 Resolution transferring for a Lease or Leases and/or License Agreements for the use of certain property for Senior Citizen Center Facilities, at a cost not to exceed $118,000.00, chargeable to and payable from Senior Citizens Program Trust Fund (SCPTF), Index Code 254250.

Also,

No. 1823 Resolution amending Res. No. 691, eff. August 21, 1984, entitled: "Providing for an Agreement or Agreements with an independent contractor to provide professional services in connection with the Dept. of Parks and Recreation's programming, specifically the Great Race, and providing for the payment of the cost thereof," by deleting 'specifically the Great Race'", at a cost not to exceed $15,000.00, chargeable to and payable from Code Account Special Parks Programs Trust Fund (SPPTF - 254359), Dept. of Parks and Recreation.

Also,

No. 1824 Communication from

Louise R. Brown, Director, Dept. of Parks and Recreation, requesting interim approval for Charles Holden to perform puppeteer services at Phipps Conservatory during the Holiday Flower Show from December 16, 1984 through January 13, 1985, at a cost not to exceed $900.00, payable from Phipps Conservatory Trust Fund.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 1825 Resolution creating a Special Trust Fund for the planning and implementation of the Economic Development Commission, City of Pittsburgh to be designated as the "Economic Development Trust Fund". The City Treasurer is authorized to deposit from time to time such funds into the Economic Development Trust Fund.
—(SPONSORED BY MR. ROBINSON)

Also,

No. 1826 Resolution authorizing the City Controller to transfer $700,000.00 from the Water Department Code Account No. 1929 transfer to Community Services Trust Fund and $300,000.00 from the Department of Police transfer Trust Fund to Community Services Trust Fund. Funds in the Community Services Trust Fund shall be utilized to fund community based Human Services. The City Treasurer is authorized to deposit from time to time such funds into the Community Services Trust Fund.
—(SPONSORED BY MR. ROBINSON)

Also,

No. 1827 Resolution creating a Special Trust Fund for the implementation of a Community Services Program to fund Community Based Human Services which shall be designated as the "Community Services Trust Fund. The City Treasurer is authorized to deposit from time to time such funds into the Community Services Trust Fund.
—(SPONSORED BY MR. ROBINSON)

Which were severally read and referred to the Committee on Finance.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Wagner presented

No. 1828 Resolution providing for a Contract or Contracts, or use of existing Contracts, for construction of New Planter Boxes in front of the City-County Building, at a cost not to exceed $25,000.00, chargeable to and payable from Code Account LB 84-20, 4-13-92-2080-84, Index Code No. 351338, Construction of New Planter Boxes in Front of City-County Building.

Also,

No. 1829 Resolution further amending Res. No. 1210, eff. January 1, 1984, as amended, entitled: "Resolution adopting and approving the 1984 Capital Budget and the 1984 Community Development Block Grant Program; and approving the 1984 through 1988 Capital Improvement Program", by creating a new line item and by adjusting the Summary Totals.

Which were read and referred to the Committee on Engineering and Construction.

Also,

No. 1830 Resolution providing for the issuance of a warrant in favor of R. & W. Electric Company in the amount of $265.00 in payment of extra work being in addition to the original contract price of $29,000.00 on Controller's Contract No. 26854 and a warrant in favor of Chatham 90, Inc. in the amount of $50,984.00 in payment for extra work being in addition to the original contract price of $235,226.00 on Controller's Contract No. 26851 furnished for the benefit of the City in connection with the Renovation of Fire Station No. 17. Prior approval was granted by Council on June 20, 1984.

Which was read and referred to the Committee on Finance.

Mr. Woods presented

No. 1831 Resolution transferring $1,000,000.00 from Code Account No. 41, Index Code No. 004101, Refunds, Real Estate Tax, Department of Finance to the Real Estate Refund Trust Fund Account, Index Code No. 253955, Department of Finance.

Also,

No. 1832 Resolution creating a Special Trust Fund for improvements to enhance public safety including the development of a Computer Aided Dispatching System which shall be designated as the "Public Safety Trust Fund".

Also,

No. 1833 Resolution creating a Special Trust Fund for the implementation of a water rate discount program for low-income Senior Citizens and other individuals which shall be designated as the "Water Rate Discount Trust Fund".

Also,

No. 1834 Resolution creating a Special Trust Fund for the planning and implementation of the Mon-Ohio Development and Reconstruction Commission to be designated as the "Mon-Ohio Development and Reconstruction Trust Fund".

Also,

No. 1835 Resolution amending Res. No. 1208 of 1983; making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh for the fiscal year beginning January 1, 1984, by increasing the revenue estimated for the Deed Transfer Tax to $10,400,000.00 and by creating Code Account No. 1017-1 entitled, "Transfer to Mon-Ohio Development and Reconstruction Commission Trust Fund", within the Mayor's Office, Code Account No. 1450 entitled, "Transfer to Public Safety Trust Fund", within the Department of Police, and Code Account No. 1929, entitled, "Transfer to Water Rate Discount Trust Fund", within the Department of Water.

Also,

No. 1836 Resolution authorizing the City Controller to transfer $250,000.00 from the Mayor's Office Code Account 1017-1 Transfer to Mon-Ohio Development and Reconstruction Commission Trust Fund to the Mon-Ohio Development and Reconstruction Trust Fund, $1,400,000.00 from the Water Department Code Account 1929 Transfer to Water Rate Discount Trust Fund to the Water Rate Discount Trust Fund, and

$2,750,000.00 from the Department of Police Code Account 1450 Transfer to the Public Safety Trust Fund to the Public Safety Trust Fund.

Also,

No. 1837 Resolution designating Banks and Lending Institutions to act as depositories for the year 1985 in accordance with the Pittsburgh Code, Title Two, Fiscal, Article III, Depositories.

Also,

No. 1838 Resolution providing for the conveyance of certain property in the 19th Ward, City of Pittsburgh, designated as Block 35-J, Lot part 75 to William L. Gray, D/B/A Beechview Beer Distributing Company, Inc., for the sum of $4,000.00.

Also,

No. 1839 Resolution amending Item I of Res. No. 971, approved November 7, 1984, for the sale of a lot at 144 Pius Street, 17th Ward, Block and Lot 12-N-215 to Wayne A. Andrzewski, for the sum of $300.00. Amendment is to correct the date of acquisition from December 18, 1984 to read December 5, 1983.

Also,

No. 1840 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at a tax sale in accordance with Act No. 514 of 1947 as amended.

Also,

No. 1841 Communication from Ronald C. Schmeiser, Director, Department of Finance, requesting interim approval for payment for emergency microfiche services from September 1, 1984 through September 30, 1984, at a cost not to exceed $2,361.78, payable from Code Account No. 1063, Misc. Services, Department of Finance.

Also,

No. 1842 Communication from Richard S. Caliguiri, Mayor, requesting authorization for George Whitmer to attend meetings for legislative purposes in Harrisburg, PA on November 27, 1984, at a cost not to exceed $350.00, payable from Code Account No. 1017-09, Misc. Services, Mayor's Office. Prior approval granted by Council November 20, 1984.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 1843 Petition from the residents of the Oakland area, City of Pittsburgh, requesting a public hearing concerning the proposed 68 rental units building on Bates Street, Oakland. The purpose of this hearing is to present evidence for the abolishment of the plan. This petition is valid in accordance with Section 320 of the Home Rule Charter.

Which was read and referred to the Committee on Planning, Housing and Development.

UNFINISHED BUSINESS

The Chair presents

Bill No. 1844 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, returning with his veto of Council Bill No. 1544, entitled, An Ordinance amending the Pittsburgh Code, Article I, Administrative, Chapter

161.19(b) by adding provisions for membership on the Minority Business Enterprise Review Committee. **(SPONSORED BY MR. ROBINSON)**

Which was read, received and filed.

(MAYOR'S VETO LETTER - BILL NO. 1544)

Bill No. 1544 An Ordinance amending the Pittsburgh Code, Article I, Administrative, Chapter 161.19(b) by adding provisions for membership on the Minority Business Enterprise Review Committee.

November 29, 1984

Honorable President and Members
City Council
City of Pittsburgh

Honorable President and Members:

I am returning as vetoed Council Bill No. 1544 which requires the Minority and Womens Enterprise Review Committee approval of the development plan or proposal, prior to submission to City Council, the Office of the Mayor, City Planning Commission or the Urban Redevelopment Authority.

The requirement that such plans go to the MBE Committee prior to the review of other agencies as to their advisability is not in the best interests of the City. Many development proposals are submitted to the City that never reach fruition and, to preclude discussion until they have an MBE approval, is, in effect, to preclude development. The City Solicitor also informs me that to preclude anyone from requesting a zone change or conditional use from the City Planning Commission unless their MBE Plan is approved by the MBE Committee or the attempt of the bill to assert jurisdiction over the Urban Redevelopment Authority is illegal.

Once development proposals are definite and there is the requisite City participation to require the MBE review, these proposals will be forwarded to insure participation of minorities and women in the project.

Accordingly, Bill No. 1544 is herewith returned as vetoed.

Very truly yours,

Richard S. Caliguiri
RSC:rms

(END - MAYOR'S VETO LETTER)

The Chair:

Michelle, I think we should go back to the sponsor of the bill, if I may.

Michelle Madoff:

Would the sponsor yield a moment? Mr. Robinson, would you yield?

Mr. Robinson:

No.

Michelle Madoff:

Okay. I was going to support you.

Mr. Robinson:

I'm trying to deal with the Chair's procedures —

Michelle Madoff:

That's quite alright. No problem.

Mr. Robinson:

Do I understand that the Chair is

giving me an opportunity to respond on the bills as opposed?

The Chair:

I'm asking you what your pleasure is.

Mr. Robinson:

My pleasure is to make a motion to override. Now, is that on both bills?

The Chair:

That's my next question.

Mr. Robinson:

I'd like to take them separately, if I might.

The Chair:

Alright, fine.

Michelle Madoff:

That was my suggestion, Mr. Robinson.

Do you need a second?

Mr. Robinson:

Please.

Michelle Madoff:

I second that for discussion.

The Chair:

Which one do you want first?

Mr. Robinson:

Bill No. 1544.

The Chair:

Okay, we'll deal with 1544 first.

Michelle Madoff:

Councilman Robinson, do I have your permission to proceed?

Mr. Robinson:

Fine.

Michelle Madoff:

On Bill 1544, I just caucussed with my colleague Mr. Robinson and said to him, quote, that another Councilmember and myself just reviewed the veto and it appears to make some sense because how would you want to stop development. Mr. Robinson will speak for himself but he said that the interpretation by the Mayor is not what the bill says. That's the reason I'm going to ask him if he would please clarify the difference between what the Mayor is saying the bill says and what Mr. Robinson says the bill says and that again goes to the point of why we need our own legal counsel, because we can't run out right now with five votes and go find an attorney. Mr. Robinson, would you please do that for me?

Mr. Robinson:

Yes. Mr. President and members of Council, Bill 1544 I think is very straightforward. I believe it was two Wednesdays ago, when these bills were passed in Committee, I explained the nature of the bills, how they were developed, and what support I believed I had secured from the Administration.

On Bill 1544 specifically, let me indicate that the intent of 1544 is spelled out very clearly in the body of the bill and it only proposed three things. One,

to change the name of the Minority Business Enterprise Review Committee to the Minority and Women's Business Enterprise Review Committee so that the name of the Committee will be consistent with what the Minority Business Enterprise Review Committee is supposed to do. Two, it asks to have certain reports in writing so that we will know what needs to be done; it's a procedural matter. Also, it requests that the proposals for development or plans that are presented by the Mayor's Office, the Planning Commission or the Urban Redevelopment Authority, have included in them an MBE plan that is consistent with what the Council and the Mayor have said they would like to do and that is include MBE plans in major developments. It would seem to me that it would be consistent to have those plans included when the projects are put together. The last item changes the number of persons to serve on the MBE Review Committee from nine to eleven. I indicated two Wednesdays ago that these matters have been discussed by the Administration; they have been aware of these bills and particularly that aspect of changing the membership on the MBE Review Committee was discussed with the Administration with my understanding that they were agreeable to change the number of members from nine to eleven.

Now, if I might speak briefly about the letter that the Mayor has attached indicating he vetoed 1544. In the second paragraph, the Mayor indicates that the City Solicitor, and I'd like to read this portion, "The City Solicitor also informs me that to preclude anyone from requesting a zone change or conditional use from the City Planning Commission, unless their MBE plan is approved by the MBE Committee or the attempt of the bill to assert jurisdiction over the Urban Redevelopment Authority is illegal."

First of all, there is no opinion or documentation from the Solicitor attached to the Mayor's veto and traditionally and procedurally when the Solicitor's opinion has been utilized as justification for a veto, that is attached. Last week this Council considered two bills that I introduced that the Mayor vetoed. Both of those bills had attached to them opinions from the Solicitor.

Second of all, Bill 1544 at no point indicates that anybody is precluded from requesting a zone change, conditional use or anything else. There is no reference in 1544 to precluding anybody from requesting anything.

Thirdly, the assertion that this bill is an attempt to assert jurisdiction over the Urban Redevelopment Authority just simply doesn't make any sense because the bill does not suggest that there will be any assertion of jurisdiction over the Urban Redevelopment Authority. It's obvious that the City of Pittsburgh has some jurisdiction over the Urban Redevelopment Authority; they can't sell land or acquire land without our approval. We have to approve their budget. They can't make any requests from the federal government or the state government for funds without our request. So, to suggest that this bill is somehow suggesting an illegal activity simply doesn't square with the facts.

I think the bill is straightforward and I'm giving the same explanation in terms of the content of the bill today that I did two Wednesdays ago in terms of what it's content is. This bill is an amendment to the Pittsburgh Code, that portion which established the Minority Business Enterprise Review Committee. It's very clear in that bill, the original bill, that the Minority Business Enterprise Review Committee had the power to establish procedures for

operation. Bill 1544 is a bill that deals with procedures of the Minority Business Enterprise Review Committee and changing the composition of the members. The Mayor's veto letter doesn't relate to this bill and if the Solicitor feels that there's something illegal in the bill or that we're trying to preclude somebody from doing something, it would seem to me it would be appropriate for him to at least send us an opinion with the appropriate legal citations as he's done in the past.

Michelle Madoff:

Mr. Robinson, on your actual bill, that is 1544, page two, the ordinance, not the Mayor's veto but the actual ordinance, would you please turn to Section 1 which is underlined and go down five lines. You have "shall preceed submission of the development plan or proposal to City Council". I think what he's saying is that his concern is that you might be discouraging people is they have to come in with plans before they even know that they would want to be in the community for a lot of other reasons, the rivers, the ethnic kind of good workforce we have here, where we're located ... It would suggest, and I hope I'm not pre-empting Councilman Wagner, that the words "or proposal" be removed. "Shall preceed submission of the development plan to City Council, Office of the Mayor", etc., but take the words "or proposal".

If somebody comes in here and says, "We're thinking about doing this and we'll give you a rough draft or something", we don't want to stymie them or discourage them and I think that would take care of what I perceive to be the Mayor's concern and I think if you did that I could vote for it very easily and I have a feeling perhaps some other members could.

Mrs. Masloff:

Are you going to take that whole line?

Michelle Madoff:

No, just take the words "or proposal". I thought the whole line should come out but Councilman Wagner is a little more astute than I am and he thought the key words were "or proposal". That's not to discourage proposals but I'll let Mr. Wagner speak for himself.

Mr. Wagner:

I would just like to ask my colleague, Mr. Robinson, a question maybe to bring this to talk about an example. How would this apply to, say, the Grant Liberty Project and the whole development plan and proposal and where would developers be according to this legislation before and as is proposed now?

Mr. Robinson:

Under the present legislation in the Pittsburgh Code, the Grant Liberty Development Group was required to submit to the MBE Review Committee a preliminary plan, which they did. That plan was submitted at the same time that the request was made for the application for UDAG funds. That plan is to be reviewed by the MBE Review Committee up until and through the period of time that we actually receive the grant money, that grant money is made available to URA, and it is then made available to the developers. So, the Grant Liberty Project is already subject to the MBE and Women's Review Process.

Now, under this proposal, when the Grant Liberty Project was first

submitted to the Planning Commission, which had to give initial approval, the MBE package would have been attached at that time. The way it was submitted, there was no MBE package. The MBE package was submitted separately after the proposal had already come through the Planning Commission, through the URA and to City Council. Then a separate MBE proposal was put together. The MBE proposal plus the general proposal were forwarded by the URA to the Department of Housing and Urban Development.

Now, one of the original amendments that I made about a year ago was to make sure that when Council considered the development, when we had it before us, that we had everything. In the case of Grant Liberty, when we first considered it, we did not have everything because we did not have the MBE package. I was informed by the MBE Review Committee that their interpretation of the law did not require them to send the MBE package to us at the same time we considered the development proposal. It seemed to me that you couldn't very well develop opportunities for minorities and women unless you knew what the total project was.

So, this bill, 1544, is simply an attempt to get that information on how we're going to help minorities and women as soon as we know what the proposal or project is going to be and as soon as it is submitted to an official government agency.

Michelle Madoff:

And you take "or proposal" out?

Mr. Robinson:

Well, maybe I don't understand the unreadiness about the word "proposal".

Michelle Madoff:

I would think that "or proposal" might come out because what you're doing is somebody who is just thinking about it, about coming into the area, we don't want to thwart them right out front. Let them come in and once they do have a plan, at that point it would be mandatory to have the Review Committee look at all aspects of minority and women involvement.

Mr. Robinson:

All the proposals and plans that are submitted to the Urban Redevelopment Authority and the Planning Commission are submitted in written form. Some are generically called proposals and in fact carry the title plan. My purpose in using the words plan or proposal was to cover the generic as well as specific. There was no intent here to refer to verbal proposals or something you read in the newspaper or someone who comes in here and says, "I'm thinking about building a luxury hotel." I'm talking about something that is actually in writing and is formally submitted; either it's a plan or it's a proposal, that's all.

Mr. Wagner:

Is there any indication that what is in existence now is not working if it has worked, say, for a development such as Grant Liberty?

Mr. Robinson:

Yes.

Mr. Wagner:

Such as?

Mr. Robinson:

Okay, the procedures that have been developed by the Minority Business Enterprise Review Committee, to my knowledge, and I'm the Council liaison to that Committee, to my knowledge have not been made available to this Council, they are not on file in the City Clerk's Office, and to my knowledge they are not available to the members of the Minority Business Enterprise Review Committee. I think part of the problem is, and I originated the legislation initially, is I proceeded on the assumption that setting up the procedure should be done by the Committee itself, that they were best able to do that. It appeared early on that the Committee either would not or could not set up those procedures. On several occasions I have raised the question in Council Chambers if there are a set of procedures for the operation of the Minority Business Enterprise Review Committee. I have been told they exist. I have asked to have a copy of those procedures forwarded to the City Clerk's Office. To my knowledge to date, they don't exist. If those procedures exist, they should outline how proposals are processed, how they're monitored, and how in the case of Grant Liberty that process is going to move on now that we have a signed document and we're going to have a groundbreaking on Thursday. I don't think those procedures exist and if they do exist they're not in writing and it's unfair to developers and others not to know what rules the game is being played by.

I hoped that I would be able to convince the Committee and the Administration that at least we ought to put some procedures in place if we were to continue to promote the policy that we were providing opportunities for minorities and women that we ought to at least have some procedures so that everyone would understand what we can and cannot do. Council Bill 1544 is simply an attempt to clarify those procedures.

Mr. Woods:

I don't think we can amend the bill after it has been passed and vetoed so that is kind of out of the question.

Secondly, I remember some time ago and maybe some member of Council can help me, I asked for an MBE package and if I got it I don't remember getting it, I haven't seen it. If any member of Council — Bill, maybe you could help us — has a copy of that, the forms that are filled out and so forth, could you share that with us?

Mr. Robinson:

No, I do not have that material.

Mr. Woods:

Do you remember the time I asked for it?

Mr. Robinson:

Yes, I do. There is some material that has been developed and I'm being very frank and candid with members of Council. Much of that material has been developed as I have attempted to discuss with the Administration coming up with a more comprehensive and substantive program so we all are in the same book and on the same page. So, there are some forms, there are some procedures. But if there is a body of procedures and a set of forms that can be given to any developer or showed to any member of this Council, I'm unaware of where that is.

Councilman Wagner raised a good point. Let's use the Grant Liberty

Project as an example. Where are the forms? Where are the procedures? Where is the monitor? There is a report that is required by law to be sent to us once every two months on the Grant Liberty Project. The last two times I've seen that report, and it's supposed to cover every aspect of that project, there has been no reference to MBE. If the MBE Review Committee has been reviewing the Grant Liberty Project for the last three or four years, I have not seen any documentation and if the Grant Liberty Project is ready to go on Thursday then there should also be an MBE package ready to go on Thursday. I have not seen that either. The only thing I've seen is the original document that was submitted over three years ago which, to my knowledge, has not been changed at all and has not been negotiated at all. So, whatever originally was submitted I assume is still the document.

Now, one thing that I think Council should be aware of, the Department of Housing and Urban Development has expressed concerns about our MBE efforts. They have expressed those concerns in writing to the URA, to the Mayor, and to the Chairman of the Minority Business Enterprise Review Committee. They have been concerned that our MBE effort is not substantive enough and to show you the level of concern on the part of the Administration, the Administration initiated a process to create a memorandum of understanding which would require the City of Pittsburgh to voluntarily adhere to standards jointly established by HUD, the City of Pittsburgh and some community groups and organizations. This was done with full knowledge that we already have laws on the books, so the Administration themselves must have recognized that there were some inadequacies. Mr. Pellegrini, as you know, helped to develop that memorandum of understanding. I don't know its status today; I don't know whether the Mayor has signed it, I don't know whether HUD has signed it. I have raised some official objections with the secretary of housing and Urban Development relative to the fact that we already have rules and regulations in the City of Pittsburgh. We don't need a voluntary program, we already have a mandatory program.

The second thing is, last week when Council supported the Mayor's veto relative to creating some procedures for the receipt distribution and management of HODAG and UDAG funds, that bill was also a recognition of the fact that this Administration has been under intense pressure from the federal government to tighten up its procedures as to how it handles federal dollars, not just in the MBE area but all the way across the board. So, I think there are some problems internally which I, as a legislator, at least think can legislatively be addressed. I would hope that the Administration is also trying to administratively address that. My attempt in 1544 and 1547 is to try to legislatively address what are obviously some problems.

The Chair:

If the Chair may, just for a moment. Regretfully, I didn't know this earlier, I think what Michelle is talking about, the matter of "preceed submission of development plan", does that have to come before any legislation on it?

Mr. Robinson:

Yes.

The Chair:

Before the legislation?

Mr. Robinson:

Yes. This would be at the time that the developer would go to the Planning Commission or URA with their drawings and their plans and submit them. They would have to have their MBE and WBE package included so that we could evaluate the total project at one time.

Michelle Madoff:

When they're serious.

Mr. Robinson:

Right, when they're serious.

The Chair:

Take the roll on whether to override the Mayor's veto.

Mr. Givens:

In hearing the arguments on this particular veto, and one who is involved in one of those authorities, that is, that of the Urban Redevelopment Authority, I think Bill has a very valid position here and the fact that if our Minority and Women Enterprise Review Committee does not get involved in a conceptional phase of any development that we have within the City of Pittsburgh, how then are they to bring in minorities and women into the development of this City?

Any of us who sit on some of these boards and are cognizant of the fact of development that is underway and that much of this development has to be kept under cover for the mere reason of what the development might be around and how it would affect, say, just the land value around that particular area. We have to be cognizant of that. But in order for the minorities to fully participate in government, for them to fully participate in the development of this City, then they must be in effect brought in at the conceptional planning phase and actually have input into that phase. Without that, it's just all hogwash and for all these people to review it before it comes to this Council for final review is acceptable in my thought and my thought process along this particular line. I don't think it's going to interfere with anything and, as Bill so pointed out, the MBE can be looking at it while it's in the development stages. In fact, if anything, they might be able to help the development along. We're talking about probably 70 percent of the people who live in the City of Pittsburgh are going to be affected by this. We're talking about all the women. We're talking about 55 percent of the people in the City of Pittsburgh, or even more possibly. And we're talking about all minorities. And I think for that purpose alone, the Administration must look inward in saying if it's going to affect these people when we finally make that development, then why can't they be in on the initial development. I think they have to be brought into that segment just like the Urban Redevelopment Authority is now brought into it, just as the City Planning is brought into it, just as our Finance and our Treasury and everyone else lends to the Mayor. Remember, the Mayor appointed these people and we approved these people. Do we not trust these people that we have appointed? I say that if we trust them, then let's get them involved. And they have to, when they know certain developments that are happening in the City of Pittsburgh cannot then have a conflict of interest and go out there and manipulate in such a way that they benefit from it. I think the people that we approved for that board have that type of stature. For that reason alone, I would not go along with the Mayor's veto. My vote is yes.

Michelle Madoff:

I want to hold my vote until the end.

Mrs. Masloff:

I want to ask one question. If these people who are the proposed business people are supposed to do all of this and submit their plans and proposals then decide that they are not going to follow through, aren't they going through a lot of unnecessary work by submitting all these documents? If we accept the proposed, then they can submit all of these, can't they?

Mr. Robinson:

Let me just respond by saying two things. One, any documents that 1544 is requiring to be submitted are no more cumbersome than the documents we already require to be submitted and I think each member of Council has sat through hearings where we've had stacks of paper before us this high on development proposals. You're not requiring the developers to do any more than they normally do and that is meet written requirements, to put things in writing.

The second thing is, this Council I think was perceptive enough about two months ago to accept a bill that I introduced and the Mayor signed it to provide for waivers for developers. What that process basically is is that if a developer has something approved and somewhere along the line the developer feels he cannot meet that commitment, the MBE Review Committee and the Solicitor can give to that developer a waiver. Heretofore there were no waivers at all. We didn't take that into consideration; I didn't take that into consideration. So, there are protections for developers and we're not requiring them to do anything more than they already do.

Mr. O'Malley:

I think this Council should be very careful. This piece of legislation gives enormous and enormous influence to the MBE. Not only does it give the Minority Business Review Committee the right to either approve or reject any development sent to this Council or sent to URA, but it also gives them the right to establish their own procedures by which they are going to judge the merits of this proposal. I don't think that this Council should give that enormous influence to any committee. I think that Council should certainly keep that influence among ourselves. I vote no.

Mr. Robinson:

Mr. President, I'd just like to have one other indulgence but I think Councilman O'Malley did raise a point that needs to be addressed. I think it should be perfectly clear that the only entities in the City that approve anything, that actually approve in City government, the Controller, the Mayor and this Council, if a development proposal is sent to us with a negative recommendation by the Planning Commission, by law we can still take positive action on it. If the Zoning Board denies a zoning request, we still can take positive action on it. If the MBE Review Committee, in reviewing and approving, decide that they don't like the MBE package and it comes to us with them saying, "We don't like this MBE package", legally this Council and the Mayor still have the final say as to whether the project goes forward or not. There's no attempt here to stop anybody from doing anything. The attempt here is to include people and to come up with laws that are consistent with our City policy. The power is still in Council and the Mayor,

not in the MBE Review Committee. I vote aye.

Mr. O'Malley:

I'd like to respond to that.

The Chair:

Wait, wait. I apologize, Mr. O'Malley, I should not have let Mr. Robinson speak during the vote. I would like to stop it here. We are now voting.

Mr. O'Malley:

I would still like to have the opportunity to respond because Councilman Robinson was making reference to my statements. I'll be short.

I'd just like to state that this piece of legislation lets the Minority Business Review Committee establish their own procedures. If these procedures were established by members of this Council or another body I might be inclined to go along with this legislation. But what he's saying is, let this group of people establish their own procedures by what they're going to judge the merits of these projects and then it states right in here, once they judge the merits of the project, it says, "Before they are submitted to Council or to the Mayor". I don't see anything in this legislation where there is a procedure that if they do reject a project where there is a vehicle that this Council has the right to a hearing to override that objection.

According to this piece of legislation, it gives the MBE an enormous amount of power and no right for this Council to override their veto. It's a very dangerous piece of legislation.

Mr. Woods:

Mr. Robinson, you left out one committee, the Code Review Committee. We can override them also.

I'm voting aye to override. The MBE package, I haven't seen one, I asked for one a number of months ago. I don't think any colleague of mine has ever seen it. I think this will push the MBE Committee off the dime, get us a package. I don't believe it hinders development in any way. I think the main thrust of this legislation is adding two new members, from nine to eleven. I think that's the main thrust of this legislation so I vote aye.

The Chair:

I'm voting aye. I regret that I didn't catch this earlier; I would have made some more changes but I think that we can get through with some understanding. I'm voting aye.

Michelle Madoff:

That's a very interesting statement, Mr. Stone, in light of the fact that you voted against Council having their own solicitor. If we'd had a solicitor, Mr. Robinson would have had this worded with some explanatory sentences in here that said we do not wish to preclude or discourage by perception persons who may come in to this area by saying we're going to put burdens on you before we even know whether you want to have a business in this area.

However, as Mr. Woods has pointed out, he's asked for material and he's not received it nor has any other member of this Council. As Mr. Robinson has pointed out, on the Grant Liberty Project we have not received any of the data that has been requested on

this particular committee, Minority and Women Committee, MBA. I worry greatly about perception and that there might be discouragement of people coming into the area for jobs by saying, "Well, if we're going to be hassled up front with a lot of material we won't want to come in to the area." I think we're all having that same kind of feeling. I think if we had a legal counself for us on an on-going basis, day to day, Mr. Woods, this language would already have been in here because my understanding from what I heard today is that you can't amend a piece of legislation after the Mayor has vetoed it; it's after the fact. If I had my druthers, I'd like to see the legislation come back reworded in a form that would take in the concerns of this Council.

So, I'm going to ask Mr. Robinson, if he will, to please come up with another piece of legislation because we amend bills all the time; don't we, Mr. Robinson?

Mr. Robinson:

Yes.

Michelle Madoff:

Would you please put an amendment to this bill next week that clarifies the concern so that perception would not be there for anybody coming in to this area or discouragement.

On that basis, I will vote aye because if we don't we're never going to get anything from the Administration and I'm going to address that later with reference to a resolution at the end.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. Robinson	(Pres't)

AYES 7 NOES 2

(MR. GRABOWSKI AND MR. O'MALLEY VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Also,

Bill No. 1845 Communication from Richard S. Caliguiri, Mayor, City of Pittsburgh, returning with his veto of Council Bill No. 1547, entitled, An Ordinance amending the Pittsburgh Code, Article I, Administrative, Chapter 161.19(f) and 161.19(G) by adding Procedure. **(SPONSORED BY MR. ROBINSON)**

Which was read, received and filed.

(MAYOR'S VETO LETTER - BILL NO. 1547)

Bill No. 1547 An Ordinance amending the Pittsburgh Code, Article I, Administrative, Chapter 161.19(f) and 161.19(G) by adding Procedure.

November 29, 1984

Honorable President and Members
City Council
City of Pittsburgh

Honorable President and Members:

I am returning as vetoed Council Bill No. 1547 which amends Chapter 161 of the Code by providing procedures to require compliance with provisions of that chapter and, in addition, provides that clerical staff and administrative staff assistance by the Office of the City Solicitor shall be provided to the Minority and Womens Business Enterprise Review Committee.

I am returning this bill as vetoed because the Committee already has in place procedures for the review of MBE and WBE and the Office of the Mayor is providing clerical staff and administrative staff to the Committee. Of course, the City Solicitor shall continue to provide the appropriate legal staff support to the Committee.

Very truly yours,

Richard S. Caliguiri
RSC:rms

(END - MAYOR'S VETO LETTER)

Mr. Robinson moved to override the Mayor's veto.

Michelle Madoff seconded the motion.

Mr. Robinson:

I wanted to again reiterate for members of Council the purpose of Council Bill 1547. There has been some discussion relative to procedures. The original bill that was introduced and passed maybe three years ago gave to the MBE Review Committee the power to internally set up their own rules and regulations. At that time I mentioned before I thought that made a lot of sense for them to do that, but as Mr. Woods has suggested, even when we ask for a copy of the procedures we can't get them. I don't want to try to embarrass anybody today but I don't think those procedures and rules and regulations exist. For whatever reason there are bits and pieces of things but there is no comprehensive body of material. So, for the last two and a half years I've been attempting to legislatively give some structure to the Committee and 1547 is another attempt to do that.

Very simply it says that seven members attending a public and duly called meeting by the Chair shall be considered a quorum. I've raised the question in this room before that there's no evidence that a quorum has been held when various pieces of legislation have been approved. If we're going to increase the number of people on the Committee to eleven, then we should increase the number of people that make up a quorum from five to seven.

Also, the meetings of the Minority Business Enterprise Review Committee heretofore have not been made to known to the public and have not been public meetings. I thought the law should say that they are public meetings.

Also, a meeting should be called by the Chair. I don't think we want people on the Minority Business Enterprise Review Committee calling meetings unless they're sitting in the Chair.

The other aspects of 1547 indicate that they shall develop procedures to require compliance with the rules and procedures they set up and that they will have clerical staff and administrative staff and that the Solicitor shall designate a person to assume those two positions.

Now, I mentioned before, two weeks ago, that through the assistance of Mr. Matter, the Mayor's Executive

Secretary, that we were able to get an Assistant City Solicitor, Ms. Gretchen Donaldson, to fulfill the mandate that's already in the law for the Solicitor's Office to provide some staff assistance. There has not been clerical assistance available to the Minority Business Enterprise Review Committee. The Minority Business Enterprise Review Committee does not have staff; it does not have the ability to function such as the Women's Task Force, and I've said on several occasions that I think they ought to have the same ability as the Women's Task Force.

They Mayor, in his letter, has indicated that the Solicitor's Office will continue to provide the appropriate legal staff and support staff. Why should we have to depend upon the good graces of the Mayor's Office to make sure that the Minority Enterprise Review Committee has one, legal assistance to deal with legal documents and two, to have clerical assistance to take minutes at meetings. Mr. Woods asked about their procedures, someone asked for a transcript of their meetings and what it is that they are requiring the developers. They don't exist.

Unfortunately, this is not the place to discuss this but I've tried to discuss it in private on numerous occasions. If those procedures exist, if those transcript records exist, I will leave this issue alone. They don't exist but we're telling people that we have an MBE program. I'm simply saying, let us substantively straighten it out as much as we can and let that commi ttee function.

The last thing I want to say is that Mr. Givens raised a question of putting confidence and trust in this MBE Review Committee. Not only should we put confidence and trust in them, let's give them the ability to function. At least give them an opportunity to have legal staff, clerical staff, and not have to depend upon the Mayor to get on the phone and say, "I think today they ought to have clerical staff and tomorrow I think they ought to have legal staff." Give them the ability to get the staff that they need so they can attempt to do the job that we've asked them to do.

Bill No. 1547 is simply trying to give them an opportunity to be independent, credible, and recognizable as an agency carrying out City policy.

Mr. Woods:

I have one problem. The seven members attending the public and duly called meeting, if there's eleven members, I believe the quorum should be one less than seven, it should be six. That's my only problem with this at this time.

Mr. Wagner:

Does this legislation in any way indicate that additional staffing needs to be provided to the Solicitor's Office to meet these demands?

Mr. Robinson:

No.

The Chair:

It would have to be done in the budget.

Mr. Wagner:

What are the estimates of additional staffing that would be needed by the Solicitor to meet this legislation?

Mr. Robinson:

It's my understanding from a copy

of a memo that I received from Mr. Matter which he sent to Mr. Pellegrini requesting that Mr. Pellegrini assign someone from his staff as the law requires to work specifically with the MBE Review Committee. Mr. Pellegrini assigned Ms. Gretchen Donaldson as part of her overall responsibility in his office to work with the MBE Review Committee. The Committee meets once a month to my knowledge; they meet the second Thursday of every month. I don't know anything about special meetings but I got the impression from Mr. Matter that one person being assigned by the Solicitor to work as needed would be sufficient and I have no objections to that.

The Chair:

Call the question.

Mr. Givens:

I vote aye and I think Bill, along with the Mayor, are walking down the same sidewalk together and if its going to be done, fine and dandy. But I think that particular resolution formalizes it in the eyes of this Council and for that reason I vote aye.

Mr. Grabowski:

I vote no because of the concern that Councilman Woods raised of the requirement that seven constitute a quorum and also the mere reason that the Mayor stated in his letter that staff is already being provided and I don't see any reason to provide additional staff. I vote no.

Michelle Madoff:

If staff is being provided, where are the reports? Maybe what we really need, Bill, is a messenger to go back and forth, or a detective or someone you monitor. It is apparent that when this Council, through the prodding of Mr. Robinson on other matters where the Administration says they're providing 15 percent and I believe it was in the purchasing for minorities and women and it turns out to be less than one half of one percent after seven years and they come in to us and say, "Oh my goodness, we didn't know how bad it was." So, I can't really trust that same Administration to say that we have a staff when the staff has not produced anything. So I have to go on the assumption that it's a mirage. I vote to override.

Mrs. Masloff:

I vote no for the same reason. I think it ought to be six members and when it's amended then I think I'll vote for it.

Mr. O'Malley:

Considering Bill 1544 passed, I think that the Minority Business Review Committee should certainly have the staff to do the job that this Council would like to have them do. I vote aye.

Mr. Woods:

I vote no for the reasons I stated and I believe 1544 addresses my problem about the MBE package and they can't do anything now unless they do have a package.

Mrs. Masloff:

I'd like to change my vote to aye, please.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES 2

And a majority of the votes of Council being in the affirmative, the motion passed finally.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 1846

Report of the Committee on Finance for November 29, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1748

A Resolution entitled, "Resolution transferring the sum of $3,000.00 from Code Account No. 1461, Index No. 146100, Salaries and Wages, Regular and Temporary Employees, to Code Account No. 1461-3, Index No. 146134, Longevity, within the Department of Fire."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1751

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Carlow College Center for Business, Society and Ethics, in the amount of $609.54 for professional services rendered to the Council Task Force on Investment Policies and Business Practices for August thru November 1984; payable from Code Account No. 1001-2, Services and Salaries of Council, As Needed. (Index Code 100123)" (SPONSORED BY MR. ROBINSON)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1757

A Resolution entitled, "Resolution repealing Resolution No. 949, approved October 31, 1984, effective November 7, 1984, entitled, 'A Resolution providing for the issuance of a warrant in favor of NBI in the amount of $292.40 for services relative to the re-installation of NBI equipment for the Office of the City Clerk, without previous authority of law, chargeable to and payable from Code Account No. 1003, Miscellaneous Services, City Clerk's Office. (Index Code 100305)"

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with a **NEGATIVE RECOMMENDATION,**

Bill No. 1758

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Jack Wilson in the amount of Five Thousand Four Hundred Dollars ($5,400.00) for services furnished for the benefit of the City in connection with the Energy Task Force project, without previous authority of law; and providing for the payment thereof."

Which was read.

Mr. Givens:

If I may, Mr. President, that was the bill that we had considerable discussion on in regards to the RFP, the proposal on the new street lighting contract and apparently Jack Wilson was mandated in the Energy Task Force to be working on that specific project. I had asked, and other Councilmembers had asked, that we be provided with that RFP before Monday. Has anyone in this room received a copy of that RFP because that's very important. It ties into the chairship that Ben Woods is running to try to delve into the street lighting contract be it that of the Controller and that of the Department of Public Works' reply to that. I felt that in order to pay anybody before we see and end product. Otherwise, the Administration has an end product

someplace. If this is ongoing for Mr. Wilson I'm the last person to want to stop anyone from being there and given their just pay but I was to understand that Mr. Wilson was the key person in the Energy Task Force that was to bring this document forward. If I'm wrong in that appraisal then someone correct me.

The Chair:

From the table on Wednesday, it was my understanding that Mr. Wilson may be involved in the thing that you're talking about but this particular bill does not deal with that. This is something that was separate and apart and in front of it. That's what was told to us on Wednesday.

Michelle Madoff:

Correction, Mr. Stone. The Controller just said that it does deal with it.

The Chair:

Let me correct you and the Controller. That's what was said on Wednesday.

Michelle Madoff:

I'm not arguing with that but I'm just saying —

The Chair:

Well, I just want to have everybody understand I said at Wednesday's meeting that that's what was represented because I asked the question three times. I would not have told Mr. Givens that it was not part of that if it wasn't told to me.

Mr. Givens:

Steve has the document right here, specification for street lighting contract will go into the body of the RFP proposal itself.

It was desired at the meeting and the reason I voted against it was to see of copy of this and that generally comes under a General Services contract coming under Councilman Grabowski's department. So, he did receive a copy of it but I don't know if Steve had an opportunity to review it or not.

This thing is so critical I'd like to have an opportunity to review the RFP before I go forward because I'm hoping that it's going to be like they say it's going to be and solve many of the problems that the Controller's report so submitted.

I would like to turn to the Controller who is present for these meetings and ask if he had received a copy of that report.

The Chair:

Dick, I don't want to open up these meetings unless you want to.

Mr. Givens:

Well, I just say that because it's an ongoing thing.

Mr. Woods:

Mr. President, if I may for one moment. Why don't we recommit this bill?

I'd like to make a motion to recommit this bill for one week.

Mr. Givens seconded the motion.

Which motion prevailed.

Mr. Givens:

Mr. President, in voting aye I think it's appropriate on that bill that we put in Committee on Wednesday, we're going to have to, I believe, keep this meeting open until Wednesday on the bond issue.

The Chair:

We're already on that.

Mr. Givens:

I would like then to consider that bill, 1758, at the same time. This man has to be paid and I think between now and Wednesday my problems will be resolved.

The Chair:

Dick, we'll take care of that.

Also, with an AFFIRMATIVE recommendation,

Bill No. 1759

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Ruth Law for stenographic reporting services in connection with public hearing(s) and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with a **NEGATIVE RECOMMENDATION,**

Bill No. 1629

A Resolution entitled, "Resolution authorizing Pittsburgh City Council to hire an individual to serve as Council's Legal Advisor for the purpose of providing City Council with legal opinions and other legal services and advice relative to the operation of the City of Pittsburgh." (SPONSORED BY MICHELLE MADOFF)

Which was read.

Mrs. Masloff:

I want to discuss 1629; that is hiring a full-time solicitor. I'm opposed to a full-time solicitor because I'm wondering where it's going to end. Will it lead to office staff, supplies, secretary and eventually an assistant? I think that we ought to hire a part-time contractor who will be approved by three members of Council instead of the usual five on a part-time basis. I also think that this solicitor should be instructed, if and when that person is appointed, that he will deal only with City business and legislation and not deal with the causes

of one Councilmember against another.

I'm not altogether opposed to a solicitor but I don't think we ought to invest in a full-time solicitor; I think a part-time one, to be paid at the rate of $75 an hour would be sufficient.

Michelle Madoff:

Mr. Stone, on my bill. I think today's example of Mr. Robinson's bills and your vote and your comments, Mr. Stone, really reinforces the need to have somebody on Council who sits in at our meetings, prods us to do the right thing, points out something that we may overlook inadvertently, and provides separation of powers. I don't think even Councilwoman Masloff is objecting to that.

There are so many bills. We're in budget hearings and we keep the bills down to a minimum but generally each week there are dozens and dozens and dozens of bills and we need somebody here all the time to make sure that when a bill comes in on a Friday some of us are not here, sometimes we're out doing something else — the Mayor's vetoes did come in on Friday as they usually do for Monday — that there is somebody here who can get in touch with us, give us their opinions on staff, we don't have to go out and look for somebody and we don't have to wait like if we have a part-time person that's involved with some other work with some other client. I think it's going to be the best bargain this City ever had.

Mr. Fagan who I believe was a member of this Council years ago lives in my building and I bumped into him for the first time in the elevator yesterday and he said, "Congratulations." and I said, "What on?" and he said, "Getting five votes for a solicitor." I said, "I didn't get it yet, we have to vote on Monday." and he said, "I tried to get one when I was on Council and that's the most important thing that this Council needs. You've got to be separate, you've got to have not even the appearance of conflict of interest and to be able to have your own legal opinions."

The problem goes back to when he was on Council. I asked him to write a letter to the editor of the Press and the Post and he said he would. I hope he will. But this is not a new problem and I think it is a show to the public that we are not indeed just window-dressing for the Administration, that we act with out own resource. We understand that person will not represent our own personal issues; I think Councilwoman Masloff's point is very well taken. I think what we've done in this resolution, in essence, he would not deal with any of our problems and would be here for business only dealing with Council matters.

As I said to Mr. Grabowski a little while ago, I realize that as a minority member of this Council — and I don't mean female, I mean the fact that this Council is a 5-4 vote generally and it's refreshing to see it going the other way for a change — there will be people who will take control of that person by virtue of the fact that five people can have that person eliminated. But I just think it is worth it to me to be a minority member if that's the way it works out to make this a better Council and to have the right kind of input so that we act, as Mr. Wagner would say, if I may borrow a term, in a very professional manner.

We have the five votes; I hope the five votes will hang firm. It will be a turning point for this whole City.

Mr. O'Malley:

Your intention is a full-time legal

advisor?

Michelle Madoff:

Yes. I mean we talk about $30,000 on the line item in the budget as we heard this morning for the Law Department which is not funded but they can get the money from another department. We talk about monies that we have appropriated in discretionary funds of Council. This will be the most cost effective, next to getting a fiscal analyst, that we could get for this City. It will pay for itself in money saved by keeping us on the right track and I don't believe that any person can serve two masters; I think Mr. Pellegrini is excellent, I think Marv Fein did a very tremendous job for us on the garage bill. But we also went out and got other legal counsel. I believe that it would not have taken as long; we worked on that bill almost two years. It took so long because we didn't have someone around to really work with us and we had to work with Marv Fein when he wasn't on other cases in court. People could have been protected earlier and we had to go out and find volunteers, resource people, to help us. We shouldn't be beggars; the budget for Council is over $1 million, the staff is half a million dollars. We should not be beggars, we should not give the perception that this Council is going out and spending the taxpayers' dollars just because we have a whim.

This concept goes back to the days when Councilman Fagan was on this Council. I did not know that until yesterday and I think to do less, the five of us who are going to hang tough on it, I hope you don't bow out at this point because it's a turnaround for this Council.

Mr. Woods:

Mr. President, I speak against this piece of legislation and I hope that one or all five members change their tune and it goes down 0-9. I think it's a waste of money in my opinion. I think a number of Councilmembers here have stated in the past that their is only one legal legal opinion that this City can render to this City and that's the City Solicitor. He's the only one that can defend us in a court of law. We discussed here in the last few months about appropriating $50,000 for professional services; I think any issue that may come up, an important issue where we do need legal counsel or an accounting firm or whatever the issue may be, we can do that. But for everyday legislation, most of this legislation and I believe all of my colleagues will agree with this, 99 percent of it is prepared, it comes from the different departments, it is prepared by the City Solicitor. If you go through the thousands of pieces that we go through every year, we as a Council, our stuff is very minimal. We'll have a man or woman sitting there, a legal counsel sitting there I believe most of the time doing nothing. We'll have to hire a legal secretary. Our secretaries are very competent but I believe for an attorney they have to be a legal secretary. We would then get into office space, maybe books, maybe a legal library. This thing could run well over $100,000. I don't think we should spend that kind of money on a whim and I believe it's a whim.

Mr. Robinson:

Mr. President and members of Council, I'd like to again thank those members of Council who, over the last two years, have joined the rank of those of us who have believed all along that this Council is deserving and needs its own legal advice, its own independent legal advice. For very practical reasons I think the Solicitor is unable to serve many of the demands that Council places

upon him and his staff and I think it's only fair and good government to make sure that we have on a day to day basis someone who is working on behalf of the Council who can also interface with the Solicitor to do what is best for all the people of Pittsburgh.

I think Mr. Woods' comments suggest that we might want to seriously look at what we are doing. Members of this Council probably have introduced more pieces of legislation collectively than all the Councils that have preceded us, if for no other reason this Council individually is far more independent, far more progressive and far more aggressive. Our primary responsibility is as legislators, to indeed draft and support and pass legislation. We do not have on our staff right now anyone who is skilled in drafting legislation. Most of the legislation that is drafted by members of Council which proposes a program or an approach different than that of the Mayor's find themselves unable to get technical assistance from the Solicitor's Office.

Also, those of us who have proclivity for developing legislation find it very difficult to fit our schedules into the Solicitor's schedule to get the kind of staff assistance we need. The Solicitor himself has indicated that his staff is not assigned to any departments; they're assigned according to their area of expertise. There's no one in the Solicitor's Office who has the expertise as a legislation drafter. There's no one in the Solicitor's Office that this Council hires or fires. Most of us probably don't even know who the Assistant City Solicitors are. And while there's no question about their competency at this point, I do think it is critical that we recognize that we are becoming more independent. Mrs. Madoff's garage bill, my bills on minority business development, other bills that members of Council have produced do require some degree of independence because in most instances the bills that are presented by members of Council are presented as bills that are not wholeheartedly accepted by the Mayor or his staff. Ninety-nine and forty-four one hundredths percent of all the legislation generated in the City of Pittsburgh is generated by the Mayor's Office. Even though legally the Mayor's Office cannot introduce, physically, any bill into Council, they write, draft, promote and see to it that it is passed, 99 percent of all the legislation in the City of Pittsburgh.

I think this bill, 1629, is a recognition of our independence and a recognition of us accepting our responsibility as partners. The Controller's Office has not only a solicitor, they're hired a whole law firm to give them advice. The Mayor's Office has a solicitor plus they hire law firms regularly to give them advice and counsel. We are the only partners in corporate government that don't have their own legal advice, yet our primary responsibility is to pass laws.

Again, I want to thank every member of Council who has been supportive of 1629 and ask you to continue to support this bill and help us to become even more professional than we are right now.

Mr. Wagner:

As everyone knows, I voted in support of this legislation last week and I'll do it again today but after that vote and reading an article in the paper I thought it was a fascinating headline which was, "Council Breaks From the Administration". I really don't think that that headline indicated that we do not want to work with the Administration; we certainly do want to work with the

Administration and I know I certainly do and I certainly do and I support their legislation 98 precent of the time. But there is an occasion where I do want my own legal advice and I think that's what this bill here is suggesting. That's what our City Charter is suggesting. This Council has a City Clerk and a staff and we know that staff has 20 employees and if we think of a legal advisor and we start looking at all those positions and this in no way indicates that those positions are not important but a legal advisor may be at the top of the list of the importance of anyone that we could have employed by this Council.

It's hard for me to believe that this is the year 1984 and this legislative body does not have a legal advisor. You can look around at the various other legislative bodies and they have legal advisors. We need a full-time legal advisor on this Council; a personally don't think a consultant can fill that mold. The reason why I don't think a consultant can fill that mold is that we would be bringing in a different consultant on different issues all the time. Those consultants would never get a good feel for how this legislative body functions. We need a person here that we can walk outside our office door into another office, ask them what they think about this idea for legislation, and I just want to state that this is long in coming and I hope that we still have the five votes to support it.

Michelle Madoff:

Thank you, Mr. Wagner. I think both you and Mr. Robinson, no matter how it goes, are really good public servants. I think the people are getting the message — thank God we're televised — about who really cares and who wants to make this operation professional.

I think your point about not working with the Mayor and the headline, I did not see it, this should not be a confrontational kind of issue. Government, the Administration and Council should not always be in conflict and doing confrontation politics and I'm going to address that later.

I really resent, Mr. Woods, your implying that that's a whim.

Mr. Woods:

You made the statement, Michelle, that it wasn't a whim. That was your terminology and I just used it after you used it so recall your own remark.

Michelle Madoff:

I said it was not a whim and you said you thought it was a whim. Would you rather this Council were wimps? I just thought I'd give you something to think about.

I would like to think that the vetoes which always come on Fridays, generally speaking, that a person working full-time for us would have been here and would have straightened that bill out because again I repeat, I'm concerned about perception on that bill. I think some language, as Mr. Stone pointed out, could have be put in and Sophie pointed out when she changed her vote could have said how about the six instead of seven and things could be handled differently having somebody here on an on-going basis.

I want to know why we're so afraid of getting help. The public isn't stupid. When we have a budget just for Council's staff and Mr. Perry's, the City Clerk's staff, they know that our having our own legal counsel is going to be beneficial.

I want to address further the fear aspect that you put in and making us look like spendthrifts, Mr. Woods. There is a law library right in this building so we don't have to go out and get another law library. It's right upstairs, am I right, Mr. Stone? Is it the eleventh floor? There is a law library so we just saved some money.

I believe that our staff here, especially when my turn comes up again and we have the patronage choice I'll do the same thing I did last time. I don't exercise that patronage option and I'll have Mike pick his own person and if we need somebody with some legal background then Mike can have them tested at Civil Service to make sure they pass the merit and Civil Service test. But that's an issue for another day.

I would like to point out in closing, some members of this Council would say that Mr. Al D'Alessandro had a job for one year. I don't recall what that job paid but they found out that we didn't need that job. What was is, Mr. D'Alessandro? Can you help me?

The Chair:

Michelle, stay within the meeting.

Michelle Madoff:

What was the job, sir? Mr. D'Alessandro had a job for one year.

Mr. Robinson:

Research Coordinator.

Michelle Madoff:

What did it pay? We had a Research Coordinator who drove Jeep around. That's what the Research Coordinator did; he drove Mr. DePasquale around. We found at the end of the year that we didn't need a Research Coordinator and guess what this Council did? We abandoned that job. If after a year, Mr. Woods, we don't need that legal person, I'll be the first one to support you in getting rid of that person. But we don't even try to make this a better Council and I think it's time that we became an effective body and I call for the vote.

Mr. Woods:

I have another comment. I think this legislation also lacks what the wages are going to be, whether the individual will be a full-time, part-time, whether he would be able to work in another firm and work here also.

The Chair:

She has indicated full-time.

Mr. Woods:

It's not indicated in the legislation is it?

Michelle Madodff:

I'll amend it to say that he or she will work full-time; cannot work for any member of Council personally and cannot work for anybody outside if you're concerned about it.

Mr. Woods:

When I say full-time, I'm talking about working for the City of Pittsburgh full-time, for this Council; no legal firm on the outside. What kind of a salary are we going to establish for this individual?

Michelle Madoff:

Under $50,000, probably around $30,000.

Mr. Grabowski:

Mr. President, right now in Council's current budget there is an allocation for whatever type of service we need, whether it be fiscal or legal, and I think we should utilize that appropriation for this purpose. Whenever we have a question, whenever any Councilman wants a specific piece of legislation drafted that he would prefer not to go to the Law Department, take advantage of that appropriation and go out and hire someone from the private sector to do it. But to put on a full-time individual, in my opinion, is just a waste of money. It was mentioned before that other legislative bodies have full-time legal staffs and that's true; Congress and the State Legislature each have an entire group of attorneys that do nothing but prepare legislation. But in Congress you have 450 Legislators and in Pennsylvania's General Assembly you have 253 Legislators and there is a need for full-time legal people to draft legislation. But here with only nine of us, as long as we utilize our own City Solicitor, I don't think this is necessary and I will be voting no.

Mr. Givens:

I've been very concerned about this and when it has come up in previous resolutions I had voted down on it for the mere reasons that some of my colleagues have so stated here today. But as I stated Wednesday after some ten years in this Council and seeing other Councilmembers including myself put resolutions and ordinances before us for this august body to pass only to be vetoed by the Mayor and an opinion given by our City Solicitor that if we would have had information prior to that veto it would have helped us in drafting up legislation that possibly might not have had that type of a veto.

Surprisingly, I have asked our own Solicitor to draft legislation asking to help me to formulate an ordinance for this body to vote upon to have the Solicitor elected rather than appointed as he is right now. It's the Solicitor that must do that. I'm going to introduce it and someone will come up with legally with some type of a question from our Solicitor saying that I can't do that because that's the Mayor's prerogative. I'm trying to get communication. I think some Councilmembers do not have that cordial relationship with out Solicitor that we should have and for that reason and what I had stated last Wednesday I feel very strongly at this particular time. Maybe a year from now, maybe a change of Administration, I don't know what's going to happen. But government has to function and we have to be fluid enough to take our ideas and put them on paper and have them transacted into language that's acceptable to the courts because as its been indicated about 80 to 85 percent of all legislation, new legislation, that's adopted, ends up eventually in the courts. I should think for that reason alone, before we draft anything, and it's the working draft, that's the hard thing to come up with, the working paper, and I need that legal counsel. I have leaned on my friends and public life too often to ask for this type of legal advice, in some cases because I don't want everyone knowing what I'm doing and I think we all feel that way. The Mayor sure doesn't tell us nor does the Solicitor tell us what is happening. When we had the 1985 budget dumped in our laps we didn't have much advice as to what the Mayor was going to present to us in that particular budget and because of that we had people today, Firemen, walking around the City County Building demonstrating because of that, because there has become a void in our government where there is a breakdown in communication and a breakdown in leadership. That's why this Councilman

wants his own separate legal advice in this Council and the money that's going to be appropriated and, by golly, we have the room. If this Council spent, and we'll have spent some $300,000 to renovate this Council quarters, there's plenty of room in there to fit one staff person, some legal person. And if our people in fact are typing up legal documents, some 23 people who work on the Councilmatic staff, surely they can type up some legal documents that we might give our particular attorney. Besides all that, there's 1600 some attorneys out there who are looking for a job.

The Chair:

Call the question.

Michelle Madoff:

You know, it is very interesting to me that the Mayor's strongest allies are voting opposed to this bill. I think that speaks volumes and I would like to correct my esteemed colleague, Mr. Grabowski. The Controller's Office here has its own counsel and in the Legislature every committee has its own counsel or legal person. There are stables and dozens of attorneys available to work for the legislators and if you disagree we can fight it out later with pistols. I just think that there's a concerted effort to kill this bill, to try and negate the five votes because we will become, not window dressing but effective members and that will impinge somewhat on the powers of the Adminstration. We'll be working as equal partners instead of window dressing. I vote aye.

Mrs. Masloff:

I don't think the taxpayers should have to pay for more legal counsel or more advice than we need. I vote no.

Mr. Woods:

I vote no and to be an effective member of this Council I think we better do what the majority has to do; do your homework and when you come into this meeting, come in prepared. I still vote no.

The Chair:

Relative to this particular bill, I would like it known we are not voting as to whether or not we should have legal counsel or not because the Chair sees both sides of this issue as wanting legal counsel. The only difference is how and what form we should have it. It seems to me and its already been stated somewhere along the line by our Finance Chairman that there was to be an increased appropriation for the benefit of Council. The next question is how it should be done. In that light, one question was, should it be full time? If we're getting a full-time attorney relative to municipal law, he must obviously have come from City government to understand it in its full ramifications.

Relative to a part-time legal counsel, it might be very wise because, as someone has indicated, perhaps 90 to 95 percent of the time there is really no difference between the Administration and this Council and it's in that 5 percent that there might be some difference of opinion. Its already been indicated that we can provide counsel for anyone who might want it in that instance.

To do it on a full-time basis I think creates a problem for this reason. It's been mentioned many many times that the City Solicitor is beholden to the Mayor. If Council hires legal counsel, who will he be beholden to, nine people, five people and which five? If we get into this thing what we're going to have

is sometimes maybe where legal counsel has something they'd like to have and pretty soon Council may be beholden to the legal counsel. I question the wisdom of doing it as a full-time basis and I want to end the same way that I began it and that is that it's not a question of whether you have legal counsel, it's how you do it.

The vote has already been passed and I don't want to portray myself as being a poor loser, but I hope I'm wrong in what I'm about to predict. That is that under this approach that we are going to have a multiplicity of actions between City Council and the Mayor, not over the matter right but rather of might. I vote no.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mr. O'Malley	

AYES 5	NOES 4

VOTING NO:

Mr. Grabowski	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with an AFFIRMATIVE recommendation,

Bill No. 1799

A Resolution entitled, "Resolution transferring the sum of $3,500.00 from Code Account No. 1003, Miscellaneous Services, City Clerk's Office, to Code Account No. 1002-1, Premium Pay, City Clerk's Office. (Index Code 100214)"

Which was read.

Mr. Wagner:

Mr. President, prior to voting, Bill No. 1799, we are taking action on it and it's presented in the wrong fashion. I mentioned this a week ago and it was corrected and it doesn't appear here as corrected. It is the transfer of funds of $350,000 from Engineering and Construction, Construction Bond Fund, to Unrestricted Cash Account, Department of Public Works.

The reason why I'm bring this up, this piece should be coming out of my committee and I don't know why it isn't.

The Chair:

Mr. Wagner, I think the whole bill is in error. Bill 1799, and I have it in my hand, transferring the sum of $3,500 from Code Account No. 1003, Miscellaneous Services, City Clerk's Office, to Code Account No. 1002-1, Premium Pay, City Clerk's Office.

Mr. Wagner:

Bill 1799, if I'm not mistaken, was voted on last Monday but the bill we have in front of us is transferring money from Engineering and Construction to Public Works.

The Chair:

That's wrong. That's not the bill. Apparently they got something mixed up here. Bill 1799 only deals with the matter of $3500 and it deals with from Miscellaneous Services to the City Clerk's Office. It is not this bill dealing with $350,000.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

Bill No. 1847

Report of the Committee on Public Works for November 29, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1733

A Resolution entitled, "Resolution granting unto Equitable Gas Company, their successors and assigns, the privilege and license to construct, maintain and use, at their own cost and expense, a gas regulator and fence in a portion of the roadway of Edith Street in the Nineteenth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1734

A Resolution entitled, "Resolution granting unto G.D. Ritzy's, Inc., their successors and assigns, the privilege and license to construct, maintain and use, at their own cost and expense, a sidewalk access door in a portion of the sidewalk at 210 Forbes Avenue in the Second Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

Bill No. 1848

Report of the Committee on Planning, Housing and Development for November 29, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1515

A Resolution entitled, "Resolution providing for the implementation of a Residential Sticker Parking Program in the East Allegheny community pursuant to Pittsburgh Code, Chapter 549."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Grabowski presented

Bill No. 1849

Report of the Committee on General Services for November 29, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1738

A Resolution entitled, "Resolution providing for the letting of a contract or contracts or for the use of existing contracts for the purchase and delivery of Two-Way Portable Radio Equipment for the Department of General Services, Code Account 4-30-01-0001-83, Index Code 370106, Miscellaneous Equipment, for payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

Bill No. 1850

Report of the Committee on Parks and Recreation for November 29, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1741

A Resolution entitled, "Resolution providing for authorization to enter into an agreement or agreements with various contractors for services in conjunction with the 1985 Pre-School Program and providing for the payment of the cost which is not to exceed Twenty Three Thousand ($23,000.00) Dollars and is chargeable to and payable from the Special Parks Program Trust Fund (SPPTF), Code 254359, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 1742

A Resolution entitled, "Resolution authorizing the transfer and trade of ownership of the City of Pittsburgh's right, title and interest and the subsequent issuance and execution of a Deed of Conveyance in the publicly held property located in the Fourth Ward of the City of Pittsburgh known as the Niagara Playground Property, Block 28-P-165, Craft Avenue and Niagara Street, to National Development Corporation in conjunction of a Deed of Conveyance for a parcel known as Block 28-P-164, 163, and 162, and the rehabilitation of the property known as the Ophelia Street Basketball Court and Playground by National Development Corporation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Wagner presented

Bill No. 1851

Report of the Committee on Engineering and Construction for November 29, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1753

A Resolution entitled, "Resolution providing for a License Agreement for entry, construction and maintenance upon the real property of the Port Authority of Allegheny County (Robert McKenzie, Manager, Real Estate and Relocation) by the City of Pittsburgh attendant to the reconstruction and improvement of Grant Street and Liberty Avenue."

Which was read.

Also,

Bill No. 1754

A Resolution entitled, "Resolution amending Resolution No. 939, effective November 7, 1983, entitled, 'Providing for the letting of a Contract or Contracts, or the use of existing Contracts, for the 1983-1984 Tree Planting Program at Various Locations within the City of Pittsburgh; and providing for the payment of the cost thereof', by decreasing the total project allocation by Sixty Nine ($69.00) Dollars."

Which was read.

Also,

Bill No. 1755

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Engineering and Construction to purchase, from the General State Authority, certain property situate in the 4th Ward, City of Pittsburgh, for public purposes, and providing for the cost incurred."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Givens:

If I could have Bernadette Kersting please come up. Bernadette is from the Veterans' Service Office here and the Veterans' Administration in the Federal Building.

Mr. Givens presents

Bill No. 1852 WHEREAS, there are more than one million one hundred thousand women veterans of the armed services throughout our nation; and

WHEREAS, the Commonwealth of Pennsylvania ranks fifth in the country with 55,500 women veterans residing in the state, and several thousand of those living in the Pittsburgh metropolitan area; and

WHEREAS, women have been a vital part of our nation's military history throughout this century, with a total of 740,000 serving during World Wars I and II, and the Korean and Vietnam Conflicts; and

WHEREAS, the contributions and sacrifices of women veterans on behalf of this nation have not been adequately recognized.

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh joins with the Mayor and the Allegheny County Board of Commissioners by declaring Wednesday, December the 5th, as Women Veterans Recognition Day in Pittsburgh.

Mr. Givens moved to adopt the resolution.

Mr. Woods seconded the motion.

Which motion prevailed.

Mr. Givens:

Bernadette, would you like to say a few words on behalf of our women veterans?

Ms. Kersting:

Thank you. On behalf of the V.A. Regional Office of Pittsburgh and both of our medical centers but most importantly on behalf of the women veterans of the City, we thank you very much for the honor that you're according to all of us on December 5th. Thank you very much.

Michelle Madoff presents

Bill No. 1853 BE IT RESOLVED, that Pittsburgh City Council hereby intends to create a position in the 1985 Budget for an individual whose sole duty will be to solicit funds from the corporate and private sectors for the purpose of obtaining revenue for grants and donations for well-deserving non-profit, educational, and/or cultural groups which have previously relied on the City of Pittsburgh for funds.

BE IT FURTHER RESOLVED, that this Council will establish a committee to determine the qualifications and salary of this individual.

Michelle Madoff moved to adopt the resolution.

Michelle Madoff:

As you may recall, I had this in the form of an official bill and I was asked to recommit it today in the form of a resolution as the will of Council so that we can find the money at budget time. Mr. Stone has for many years said that those who need the help the most don't seem to get it and I backed off about three years running now and allowing CETA to do the work. They do a commendable job but they just don't have the full force and credibility that someone working for this esteemed body would have going out and saying, "I work for the City of Pittsburgh and we want to do what we can to help well-deserving groups." Very frequently as a matter of fact, organization for example like the Pittsburgh Foundation, as they get into the last months of the year are really looking for groups to give their money to and groups don't know who to go to. They have cut-off periods and they give only seed money so that you can't get the same money if you've already received money. I know that as a member of GASP. It has to be another project.

There are many groups that come to us, new groups that we'd really like to

help that we can't and by having this person and a grants person paid for by staff I think that that would be a really cost effective way of doing it. The mechanism could be determined, that person could even get a percentage of what they collect the first year if we're worried about paying monies out of pocket or with a top on as to how high they could actually go and maybe subsidizing from the City to give it a chance to get going.

There are many ways this could work and I would urge those of us who have been very concerned with grants and donations that we've had to turn down. Other cities are doing this and doing it very successfully and I hope the economy is about to turn around and Reagan doesn't wipe us all out and that we would vote for this.

The Chair:

Is there a second? There being no second, the motion fails.

Mr. Robinson:

Mr. President and members of Council, I'd like to submit a report on my recent trip to the 61st Annual National League of Cities Congress of Cities and Exposition. I won't bother to read the report; a copy of this report has been provided to each member of Council and I also will provide a copy to the City Clerk but I would like to have it become a part of the official record. Thank you.

(MR. ROBINSON'S REPORT - 61ST ANNUAL NATIONAL LEAGUE OF CITIES CONGRESS OF CITIES AND EXPOSITION - DECEMBER 3, 1984)

From November 24, 1984, to Wednesday, November 28, 1984, I attended the Annual National League of Cities meeting in Indianapolis, Indiana. I participated in the various activities as a member of the Energy, Environment and Natural Resources Policy Committee and as a member of the Urban Unemployment Task Force.

Resolutions reflecting the deliberations of both committees I met with were included in the approved 1984-1985 version of the National League of Cities, Municipal Policy. A copy of the Municipal Policy will be available in January of 1985.

Additional information on the National League of Cities will be provided upon request.

(END OF REPORT)

Michelle Madoff:

On another issue. I would like to point out to my colleagues that a meeting was called today at 1:15 in Controller Flaherty's Office to review the last audit on one of the departments. I know that many of us are very tied up and busy, it's budget time and there are other commitments that we made before, so I'm not saying this is a criticism of the fact that only a representative of Mr. Givens' office and myself and my administrative assistant were present. But I think it's a good think that the Controller is now coming to the Administration, he delivered the report I believe on Friday and he's going to wait a few days for a response before he goes to public hearings. The reason I even touch on that subject is that as you know you could hardly miss what was going on here today outside with the literally hundreds of police and firemen marching around this building picketing the building.

This brings me to a great concern. We vote every year on a budget of which we have no input. None. I have

pleaded with the Mayor on two specific occasions to please start the budget early in the year, meet with Council on an informal basis so that we can help promulgate what goes into the budget. For example, here I am as a member of the liaison from the Water Committee with the Water Department and when did I find out we where going to have a Water Authority? When the Mayor read last year's budget. I was severely chastised for things that I learned that day for being intrusive and not being polite. I was in somewhat of a state of shock. Let me go back for those members of Council who were not here when we voted on PPG. The issue came before us with the concept of a great big complex which is indeed now almost a completed reality that would bring us lots of tax dollars. Who was against it? We thought wonderful, it's going to bring us lots of tax revenue. None of knew there was a problem until we had a command performance to appear at Saint Mary's Church by the Bishops and by the Priests and we were severely chastised. We were not guilty but we're always the scapegoats. We didn't know. Why didn't we know? Because we were never told. We didn't know there was a problem where businesses were going to be moved out of the area and there were problems of redoing streets and problems of a senior citizens center.

Now we come to the issue of a police and fire department. You know, it's a matter of style, and I've told this to Controller Tom Flaherty. I understand his frustration because I have great frustrations after six and a half years of sitting here that when you get it to a point where you can really start auditing department you get so carried away you want to go out and show that you've absolutely been right the time you sat on this Council.

Perhaps this style is a little abrasive or has been and maybe the Mayor's style is a little more gentle. Can anybody think of anybody who doesn't like the Mayor?. He's very likeable, personable, jovial, lovable. It's very difficult to work up a hate for the Mayor. I don't, I like him very much. However, what he is doing is no better or no different than what Controller Flaherty is being accused of doing. What did he do? He promulgated a budget with a completely new concept of safety. Did he come for this Council for input? No. Did he go to the firemen for input, the policemen for input? No. But you know who is going to get burned? This Council because every year we have a budget that's prepared for us that we vote on and we have absolutely no input to it.

My next effort, and I would ask since Mike isn't here, Linda, I would like a resolution prepared that at budget time this year we find funds and a mechanism to prepare a budget that comes out of this Council so we know what we're voting on, so we know what's in it, because when it's presented, it's wonderful, no taxes for four years, who's going to say it isn't a good budget? We don't even know what we're voting on because we didn't help to draft it. We had no say on that budget. Hopefully, our budget, the Council recommended budget — recommended, it doesn't have to be what the Mayor does — will be completed by the first of July or the end of July when we break in session. They Mayor would have the month of August to coalate both of them and come up with the balance of the two and at that point at least you'll know something that's in the budget because he'll be saying, "No, I don't want to do that, I want to do something else" because the Adminstration refuses to sit down with this austere body that now is going to have a legal counsel of its own and find out what's in it. So, every year the

Mayor has the room packed with all the employees, its a grand theater, nobody is supposed to speak out of line or question, it's not the appropriate time; if you do you'll really get it in the media; I did and it was probably deserved of. However, I don't think it's a matter of my behavior or other members of Council; I think the issue is really to the guts of the survival of this City and the economic plight that we have of a $1 billion debt, that we better have our own budget because now we're being confronted with additions; for pensions; thinking about some of the things Mr. Robinson has suggested for unemployed programs; maybe we ought to be using the money to pay off debt service so we can attract industry to the area. There are a lot of options.

We need to know what's in the budget, not just when it's presented to us and say vote for this and we sit here like idiots going over with the departments, "How many attorneys do you have? Do you have any extra? Are you going to be having a big lawsuit this year?" It's like saying to the butcher, "Is this a good cut of meat?" Is he going to say it's a bad cut of meat?

I think that it's long over due that this Council — perhaps we ought to advertise or get the word out that if you run for City Council one of you duties is scapegoating. I think this Council should really take a stand and no longer be a scapegoat for the Adminstration and the way to do that is to know what's in the budget and help to put it in and we ought to be promulgating a budget so we know what we are voting on.

Mr. Givens:

If I can, Mr. President, to add to what Michelle is trying to say, as a freshman Councilman and as the then Chairman of Public Safety, I was invited to sit in on the police negotiations as their invited guest under previous administration. For the first session things went along pretty good and I was there for information to see how the negotiative bargains, you know, see how they come to a final conclusion on the manpower of that particular department. The second time I went in there, the Adminstration refused to make any dialogue, any discussion, until I left the room. Naturally, progress could not be made and I was the stumbling block; it was a very cumbersome position that I was put into at that particualr time so I had left. I was just an observer asking no questions but just trying to be briefed on what the on-going budget deliberations were going to be for the next year so I could be more educated in the process. That's what happened to this particular Councilperson and I don't know with the strong Mayor form of government that we'll ever be invited over but surely this Council, along with the standing committees that all of us sit on, have to have some type of daily input on what happens because the surprise package is, as happened this November when the Mayor's budget came out, does not give us sufficient time to digest adequately debate, have public hearings, etc., on the major changes that he's made in this particular budget. For that reason and that reason alone, I do not have the time, I have not heard the arguments. We're going to come in here tomorrow morning and discuss a major change regarding the life and property of all of our citizens and we're supposed to, in the site of a half hour period, say on our police, fire and emergency medical, get all the answers. That is not ehough. The public has not had a hearing. When the Planning Commission goes out in the fall of the year where they present the six year plan and they talk about the operating budget, no place do the City Planners tell the people in the varioius communities where they have these public hearings that there was going to

be such a major change in our public safety in the City of Pittsburgh. Just two weeks ago this Council found out very quickly what those major changes were going to be and until I hear from the public, which I'm hearing on the street, until we have a public hearing on this particular issue, then I cannot vote the way the Mayor so chooses. Had we been privy to it, had the communities been privy to what he wanted to do and it was brought on in a way that everyone would have their opportunity to speak before us, then we wouldn't be in the situation that we will be in tomorrow when this room will be filled and overflowing. I think that's a sad way of running government. It's government by disaster; it's government by reaction. It's not government by planning; it's not government by leadership.

Michelle Madoff:

I would like to point out that the Administration, the present Mayor, has been in office for nine years. One may not like the style of the Controller but one has to deal in the realities in the world. Whatever is going on in each department, I'd asked the Mayor to please have independent people come in and review each department and that has not happened. For the first time we have a Controller who is really auditing each department. It wouldn't matter who was in office; nobody is perfect and you're always going to have problems. But when you've got complete departments with read problems over and over again, where was the Mayor for nine years? I think the answer to that is going to be Council coming up with its own budget.

Mr. Wagner:

One quick item. I know we have a tight schedule over the next couple of days but there is a conference tomorrow and Wednesday a transit conference at the Sheraton Hotel which is being held by Port Authority and I believe Southwest Regional Planning out of Philadelphia and it pertains to a very important/topic of which this Council should be concerned and involved. That topic, as all of us know, is a proposed new tax increase.

The reason why I wanted to mention this is that I think it's important that if possible we attend it and even if we could alter our schedule to attend it on Wednesday. Furthermore, I think it's important that this Council at some point in the future reach a concensus opinion on how we feel about what is being proposed because it affects our 425,000 residents.

The Chair:

You leave me no alternative; it's just a might late because we lost 430 million by not taking skybus.

Mr. Woods:

Mr. President, I move to recess this meeting and meet again Wedesday, December 5, 1984 after the Standing Committee Meeting so that we can discuss the sale of the General Obligation Bonds and Bill No. 1758.

Mr. Givens seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Woods**

Council recessed.

Pittsburgh, PA
Wednesday, December 5, 1984

And the time of recess having expired, Council reconvened and there

were present:

PRESENT:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 1854

Report of the Committee on Finance for December 5, 1984 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1758

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Jack Wilson in the amount of $5,400.00 for services furnished for the benefit of the City in connection with the Energy Task Force Project, payable from the Energy Task Force Trust Fund within Special Trust Fund No. 2 (252056)." —**(MR. WOODS)**

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1722

A Resolution entitled, "Resolution increasing the bonded indebtedness of the City by the issuance of General Obligation Bonds in the aggregate principal amount of $21,000,000.00 to provide funds to pay a portion of the cost of the City's Capital Improvement Program, to pay the cost of issuance of Bonds, and to approve, accept, authorize, fix, provide for, establish, pledge, ratify, appropriate, convenant, appoint, and repeal relevant matters."

Which was read.

Mr. Robinson:

Two questions, Mr. President. One, is the 12th Ward recreation center included in Council Bill 1722 at a price tag of $3 million?

The Chair:

All I can tell you is that the exhibit carries the 12th Ward recreation center listed in there.

Mr. Robinson:

I'd like to offer an amendment that the line item that designates the 12th Ward recreation center be amended with the figure $3 million.

Michelle Madoff seconded the motion.

Mr. Givens:

The bond issue has already been —

The Chair:

Wait, Dick. As I understand it, it's an exhibit.

Mr. Woods:

It's an exhibit is right, Mr. Givens. It can be added.

WHICH MOTION PREVAILED.

Mr. Robinson:

One other motion if I might. I'd like to make a motion that the first project to be funded out of the bond issue identified in 1722 be the recreation center in the 12th Ward, City of Pittsburgh.

Mrs. Masloff seconded the motion.

The Chair:

The only problem you have with that is what I said earlier. It is not likely we're going to spend $3 million. The first thing we're going to have to do is go out for the preliminary plans. I don't know exactly what it will be, maybe one of these other people can tell me, but I would say it's in the neighborhood of $100,000 to $200,000. That would be in the normal progression. But as I indicated to you that you put in a piece of legislation I would think yes, but you don't want to tie up the $3 million at this moment.

Mr. Robinson:

The direction of my motion is simply to have the 12th Ward recreation center be the first project to be funded in part or totally from the bond issue identified in 1722.

The Chair:

I assume you agree with that, Sophie?

Mrs. Masloff:

Yes, I second that.

Michelle Madoff:

Discussion. I concur completely with that that it should be a priority. I think we just can't say we should do it; perhaps experience has shown us it doesn't mean very much what we say. I think a letter has to go by messenger, hand delivered, from the President of Council today to the Mayor saying that we want a commitment from you that this will be a priority. We'll have a pretty good idea where we stand. I don't think it's sufficient to say, yes, we're going to do it in '83, '84, now it will be '85; it doesn't mean that it's rhetoric. For clarification, there's no correlation between the projects and the bond except in the vaguest sense and we need to do some things for the City and what is on the list is not carved in granite, it is not a commitment of the Administration.

There's a $10 million surplus, there is another fund, another surplus in Capital Improvements, Mr. Robinson. The money is there to do the project. The only way the project will get done is not to brush it aside and say it will be something we will definitely do because you didn't get it done in '83 or '84 and what makes you think you'll get it in '85. It has to be a priority with a message to the Mayor immediately, in the next ten minutes, saying he'll do it.

WHICH MOTION PREVAILED.

Mr. Grabowski:

Mr. President, I'd like to make a motion. I'd like to move that we delete the entire exhibit identifying all the projects. Right now we have a bond issue for $21 million, a schedule that indicates projects worth $24 million. As Mr. Schmeiser indicated at the Committee Meeting, the projects actually are not relevant to the bond issue and I think this is the proper way to go. I supported Councilman Robinson's motion that the 12th Ward recreation center be the first project funded out of the bond issue but now we don't have a correlation of what the bond issue is and the projects and the schedule. So, I move that we delete the entire schedule and then we just proceed as Mr. Robinson would like.

The Chair:

Mr. Grabowski, may I appeal to you to reconsider your thought for this reason?

Mr. Grabowski:

No.

The Chair:

Let me finish. It is my belief that the exhibit is important enough because it manifests that these are the projects and like similar projects that your are representing that you intent to spend the monies for. I hope Mr. Schmeiser didn't say that it meant nothing; it does mean something. I think what he was trying to say was that that specific project was not there, if you can't finish that one, as long as there's something of similar nature and like kind.

Mr. Grabowski:

Originally that legislation came over, I believe, without any projects listed. And Councilman Wagner, I believe, asked where this money was going to go and it was at that point that that schedule surfaced. As I said, it's not relevant and my motion stands.

Mr. Robinson seconded the motion.

Mr. Robinson:

On the motion. I think the issue that Mr. Grabowski has raised is very relevant and I say this with all seriousness. It's rather obvious that the rating agencies and the bidders had to look at some exhibits and some documentation to substantiate what it was we were going to do. It's rather obvious the Administration picked those projects which they felt in their judgment were the best projects to present. I'm sure in all honesty they're going to do everything they can to do the projects that they have suggested to the rating agency. Not to do that jeopardizes our bond rating and also jeopardizes the credibility of the City.

If we are going to follow the procedures and if we're going to ask the Administration to work with us, we have to again deal seriously with the fact that Mr. Schmeiser and Mr. Schillo did not make the adjustment we asked them to

make. They had several alternatives, one of which was to simply say to us that in their estimation, the 12th Ward recreation center should not be included in the bond issue. They have yet to do that.

They also had the option of trying to arrange for a meeting between this Council and the Administration to try to resolve this issue before they actually went out and made bids, accepted them, and presented the material to us.

They also had the option to change the exhibits, to move the projects around with full knowledge that those projects do not have to be the exact projects that are funded.

They had another option which they exercised which was not to properly inform this Council before or after their actions and to suggest to us that we could add a project that was going to add $3 million to the bond issue and it would have no impact. It's rather obvious if we try to find a project at this point to switch in that exhibit for the 12th Ward recreation center, we will have the same problem that we're going to have with the people in the 12th Ward. Someone from Beechview, someone from North Side, someone from Spring Hill, someone from Carrick, will be here asking us why their project was removed.

It is unfortunate that we have been put in this position. It was totally unnecessary. As I said earlier, if we don't try to correct this situation now we will face it again and again and again. If there are members of this Council who, as a matter of conscience, decide that they don't like the procedure, that they have been compromised, and vote against this bond issue, the results for this City will be devastating. I don't think we ought to be stampeded at any time into making decisions and particularly where the law of this City is ignored. And that is exactly what Mr. Schmeiser and Mr. Schillo did.

Mr. Grabowski, I think, in good conscience has suggested that we drop the exhibits. I don't think legally we can do that without jeopardizing the bond sale which has already occurred.

Michelle Madoff:

Excuse me. I just checked; we can do that.

The Chair:

Wait, Michelle. I'm at a loss. You're saying we can't do it yet you want to go ahead and vote it?

Mr. Robinson:

I thought it was only appropriate to speak on a motion that had been moved and seconded. I seconded it so I could make my comments. It's still up to this Council. I'm willing to support Councilman Grabowski if he would like to move forward.

The Chair:

You're saying, if it's important, and you believe it is, then vote against it and we lose a $21 million bond issue?

Mr. Robinson:

I'm saying that what Mr. Schmeiser presented to us today is not all the information we need to have. In fact, some of that information does not square with the facts. Unfortunately, we are in the twelfth hour. The fact of the matter is, people have already put their money up, people in good faith have already bid on the bond, Mr. Schmeiser and Mr. Schillo have shaken the hands of people who believe that the full faith and

trust of this City is behind the bond issue. I'm saying we, as a Council, have been put in a position of being compromised, not only in the bond market but with the citizens of the 12th Ward, and I am perplexed as to how to remove ourselves from this situation. But if it takes the strong action that Mr. Grabowski has suggested, I'm willing to do that and we will have plenty of work for our Solicitor because I guarantee within five minutes of our action we're going to be sued.

Mr. Wagner:

I think all of us are touching on some very important issues today and I think the major issue here is exactly how we determine what projects are going to be part of the $21 million that we're borrowing. I have attempted to look into what that procedure is and I have not looked into it in detail which is necessary and I think it's important for this Council to become more involved in that procedure in the future.

The reason why I'm saying that is, I am sure there is some relationship as to how we spend our dollars, especially the dollars that we're borrowing, and what impact it has on this City in terms of economic development, the point of attracting businesses into this City and to locate in the City, and also on how livable our neighborhoods are.

I don't know exactly what that grading procedure is to determine the far ranging impact of how we spend our money, whether or not it's more beneficial for us to put $3 million in the Bloomfield Bridge or $3 million into a recreational center. But I think all of us are touching on it and I think what needs to be done is we need to sit down with the Administration and figure out how we arrive on where and how the money is spent. We realistically have to look at what impact the money that is spent has on the long-range future of our neighborhoods, in particular, making them more livable, and the economic impact on this City.

I think that's the real issue that has been brought out today and I just wanted to state that publicly. Somehow or another, a grading procedure has to be developed. If there is one, I'm not aware of it. But there should be one and I hope that we can do that in the future.

The Chair:

Mr. Givens?

Mr. Givens:

I'm still waiting for the Controller to give me some information that I need.

The Chair:

On which bill?

Mr. Givens:

On the bond issue itself. It's a technical point that I have as to whether or not — like any bond issue, and I've never been to New York, I've never walked through the particular itself. Is there an exhibit that has to be attached to that bond issue? I'm sure that when any city goes out and borrows money that the people that are going to buy those bonds from the City of Pittburgh want to know what type of things are going to be done with that particular bond issue. If a city is going to be irresponsible as we are within this City and our bond rating has gone down over the last several years because we borrowed too much and, as has been brought up over the years, that our indebtedness is something that is creeping up on us. But even beside the indebtedness, what are you doing with

this money? What are the priorities within the City? Most of this money in this particular bond issue is going into the inter-structure of the City, bridges, roadways, things of this nature. Fourteen million of the twenty-one million is going in that direction and I'm sure that when you go out to try to borrow this money and the interest rates that you're going to receive on it is predicated upon, I believe, some of the projects that you're seeking.

If I could ask the Controller if he could enlighten me on what are the mechanisms and is there an amendment or an attachment or an exhibit when we in this City, the City Administrators and the Controller goes to generally New York to float these particular bonds.

Mr. Flaherty
City Controller:

It's my understanding —

The Chair:

Hold on, Tom. Does anyone have any objections to hearing from the Controller?

Mr. Grabowski:

I do.

Mr. O'Malley:

I do too.

Mr. Givens:

It's very interesting that if the Controller doesn't sign off on this thing there's not going to be a bond issue and if you don't want to hear from him then that's your prerogative. But if that's the case then I'd like to speak to the Controller and have him give me some words of wisdom so I can then give those words of wisdom to this Council.

Michelle Madoff:

While they're speaking may I make my statement?

The Chair:

Go ahead.

Michelle Madoff:

I just spoke to Mr. Schmeiser. Mr. Grabowski is absolutely correct; you do not need a list in order to go out on the bond. It is not a legal requirement. I repeat, Mr. Robinson, it is not a legal requirement. It is only an indication of the kind of projects we're going to do and until this date we've only had indication on previous bonds of what we're going to do and we never do what's on the list. This is the way it's been. I repeat, Eazor was never on to be purchased which was our place to store our City vehicles, a central facility, but we went out on a bond. They're separate and apart. They're only indications that some things must be done in the City and I call the vote.

Mr. Givens:

I received the great words of wisdom and counsel from our Honorable Controller, Mr. Tom Flaherty.

When the Controller goes along with the City Administrators to wherever, New York, to sell these particular bonds, in this particular case they were bid here in the City of Pittsburgh. But the exhibit that goes with it is not the exhibit that was given to us and the types of projects that were so described in that exhibit be it each department. What they do have to put in the bond issue is articles saying how this money is going to be expended. For

example, as I just indicated, infrastructure, meaning that of bridges, roadways, sewers, waterlines, things of this nature. Recreational will be part of that, sewer lines, etc. That's what the people are interested in and they know the various cities and they know what they possibly might need and as a result that's what makes the bond market a flexible market because each city is looked at overall and the direction that the Administration and the Council and the Controller of that city is taking in order to make that city a most economic and viable community.

Really, the exhibit that was shown us doesn't mean anything as we so discussed here today. It does not go along with the bond issue itself and when that money comes in, this Council as well as the Administration, can spend it whichever way we feel. The only thing that I'm discouraged about is that when we went from the line item issue, the people in the communities knew that they had money for their particular project and that project should have gone forward. When we put it all into that salad bowl as I indicated, or that soup bowl, whichever ones come to the surface are the ones that this Council and the Mayor so desire.

So, get your resolutions in for the projects that you feel are worthy. Otherwise, the Administration will put them in for us.

The Chair:

Mr. Givens, the Chair has a question of you. Did those words of wisdom include a statement to the effect that the exhibit is not necessary?

Mr. Givens:

That is correct. There is in the body of any bond issue what the purpose of that bond issue is for. There is indicated in there almost to that exhibit, probably to the dollar, as to what that money is going to be used for, in general categories, not line item by line item.

Mr. Woods:

Call the question.

The Chair:

We are dealing solely with Mr. Grabowski's motion which was seconded by Mr. Robinson.

All those in favor? Opposed?

WHICH MOTION PREVAILED.

The Chair:

Call the roll on the bills.

Mr. Givens:

Aye on the bond issue and I have a letter before we terminate this meeting that I'd like to read for the Councilmembers.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens:

This letter came in from the Department of Public Works via the Operations Cable Communications and primarily cable divisions, signed by Brother Richard Emenecker. Apparently all those words of wisdom that we spoke yesterday afternoon —

The Chair:

I thought you were going to read a letter.

Mr. Givens:

I'm going to; I'm trying to explain the letter to you and who its coming from.

The Chair:

Then we don't need the letter if you're going to explain it.

Mr. Givens:

It comes from Brother Richard Emenecker to the President and Members of Council.

"Dear President and Members of Council,

Due to a technical difficulty during the evening playback, a one hour audio portion of Tuesday, December 4, 1984, budget hearing session was not transmitted over Channel 17, the Governmental Channel. Therefore, the last three hours of the above session will be replayed at 7:00 p.m. on Saturday, December 8, 1984.

If you have any questions, please call Brother Richard at 255-2745."

Most of that was our afternoon session and most of it dealt with when Chief Harper was on the floor. It was a very vital part of the governmental channel that was not broadcast, the audio was not broadcast, and it will be replayed Saturday evening at 7 p.m. for those who are interested. Thank you.

And on the motion of **Mr. Woods**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, December 10, 1984 No. 48

Municipal Record

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, December 10, 1984

PRESENT:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Givens presented

No. 1855 Resolution amending Res. No. 166 approved March 12, 1984, effective March 16, 1984, entitled: "Resolution providing for a Contract or Contracts, by inserting, 'by providing for the use of existing Contracts', and furnishing and installing and/or reinstalling steel guardrails and facilities related thereto at various locations within the City of Pittsburgh, and other work incidental thereto, and providing for the cost not to exceed $50,000.00, chargeable to and payable from Code Account PW 84-48, 4-01-30-0020-84, Index Code 304410, Flex Beam (Guard Rail) Contract."

Which was read and referred to the Committee on Public Works.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Michelle Madoff presented

No. 1856 Resolution providing for the issuance of a warrant in favor of the Perkin-Elmer Corporation, Citibank, Del., P.O. Box 7247-9000, Philadelphia, PA 9170-9000, in the amount of $659.50 in payment for repair of an Atomic Absorption Spectrophotometer, chargeable to and payable from Code Account No. 1934 Repairs (193409).

Which was read and referred to the Committee on Finance.

Mr. O'Malley presented

No. 1857 Resolution transferring the sum of $100,000.00 from Code Account No. 1443, Salaries and Wages, Regular and Temporary Employees, Department of Police, to Code Account No. 1443-4, Premium Pay, Department of Police. The transfer is needed to meet obligations for the remainder of the 1984 calendar year.

Which was read and referred to the Committee on Finance.

Mr. O'Malley moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also,

No. 1858 Resolution providing for the issuance of a warrant in favor of Air & Power Service Company, in the amount of $1,962.76, for various repairs to the Criminal Identification Computer, chargeable to and payable from the City-County Integrated Identification System Project (C-CIISP) Special Trust Fund No. 2 (250308), Pittsburgh National Bank.

Also,

No. 1859 Resolution transferring $12,912.44 from Bureau of Building Inspection, Department of Fire, Code Account No. 1478 (147801), Equipment to Code Account No. 1476 (147603), Miscellaneous Services.

Which were read and referred to the Committee on Finance.

Also,

No. 1860 Resolution providing for the letting of a Contract or Contracts for the furnishing and delivery of large diameter hose and apparatus adaption set, at a cost not to exceed $30,000.00, payable from Code Account No. 1468, Index No. 146803, Equipment, Department of Fire.

Which was read and referred to the Committee on General Services.

Also,

No. 1861 Resolution providing for a Contract or Contracts from time to time in connection with the demolition and removal of condemned buildings, at a cost not to exceed $400,000.00, chargeable to and payable from Community Development, FD (4-27-10-0005-84-13-84-27), Index Code 420000, Demolition and/or Sealing of Condemned Buildings, Including Site Restoration and Boarding and Party Walls.

Also,

No. 1862 An Ordinance amending and supplementing the Pittsburgh Code, Title Eight - Fire Prevention and Title Ten - Building by adopting a new Title Eight - Fire Prevention, 1984 Edition and a new Title Ten - Building, 1984 Edition.

Also,

No. 1863 Communication from Charles Lewis, Chief, Department of Fire, requesting authorization for Paul J. Imhoff to attend the 6th Annual Education and Research Conference of the Association of Major City Building Officials in Savannah, Georgia from November 1-4, 1984, at a cost not to exceed $821.50, payable from Code Account No. 1476, Misc. Services, Dept. of Fire, Bureau of Building Inspection.

Which were severally read and referred to the Committee on Public Safety.

Mr. Robinson presented

No. 1864 Resolution providing that the conditions and requirements of Resolution No. 928 and 929 approved October 25, 1984 be effective to the Treasurer, City of Pittsburgh initiating and completing fiscal audit of Warner Cable Corporation of Pittsburgh for the years 1980 - 1983 and until a close out audit has been conducted by the Treasurer, City of Pittsburgh, and all fees due and owing the City of Pittsburgh are paid in full. —(SPONSORED BY MR. ROBINSON)

Which was read and referred to the Committee on Finance.

Also,

No. 1865 Resolution providing for a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh to implement a program providing for employment opportunities for City residents, under the Authority's Economic Development Programs of qualified candidates for entry-level, non-supervisory positions and for the employment by Borrowers of candidates referred by the City, or who otherwise meet eligibility standards of the Job Training and Partnership Act, for 50% of all entry-level non-supervisory positions in projects costing in excess of $250,000.00.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

Also,

No. 1866 Resolution requiring all and any audits, reports, studies and similar evaluations to be filed upon completion with the City Clerk, City of Pittsburgh.
—(SPONSORED BY MR. ROBINSON)

Which was read and referred to the Committee on Finance.

Mr. Wagner presented

No. 1867 Resolution authorizing and directing the Director of the Department of Finance to establish a chargeback system for Workman's Compensation losses to be implemented for each Department with City Government.
—(SPONSORED BY MR. WAGNER)

Also,

No. 1868 Resolution providing for the issuance of a warrant in favor of Sargent Electric Company in the amount of $863.50, in payment for extra work, being in addition to the original contract price of $41,450.00 on Controller's Contract No. 26968, and warrant in favor of Pugliano Construction Company in the amount of $3,400.00, in payment of extra work, being in addition to the original contract of $548,500.00 on Controller's Contract No. 26716, furnished for the benefit of the City in connection with construction of Riverview Pool and Bathhouse, both payable from the Riverview Pool Trust Fund (RPTF). Prior approval granted by Council February 22, August 27, September 28, October 23 and October 24, 1984.

Also,

No. 1869 Resolution providing for the issuance of a warrant in favor of Anjo Construction Company, in the amount of $3,713.58, in payment for extra work being in addition to the original contract price of $2,134,000.00, on Controller's Contract No. 26833, furnished for the benefit of the City in connection with Site General Construction at the Pittsburgh Zoo-Phase III, Savanna Exhibits, payable Code Account PR 81-02. Prior approval granted by Council on June 26, July 19, and October 30, 1984.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1870 Resolution providing for a Contract or Contracts, or use of existing Contracts for the rehabilitation of various Department of Parks and Recreation turfed areas and ballfields including, but not limited to the Richie McCabe Ballfield and the Fineview Ballfield, at a cost not to exceed $40,000.00.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Woods presented

No. 1871 An Ordinance amending and supplementing the Pittsburgh Code by creating a Department of Public Safety, placing it under the charge of a Director, and setting forth the powers and duties of the Director; and Repealing Chapter 115, Department of Police, Chapter 117, Department of Fire, and Chapter 143, Department of Emergency Medical Services.

Which was read and referred to the Committee on Public Safety.

Also,

No. 1872 Resolution Repealing Resolution, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 514, as amended, and providing for the forfeiture of hand money.

Also,

No. 1873 Resolution Repealing Item C of Res. No. 674, approved August 13, 1984, for the sale of vacant land, 4th Ward, Bohem & Griffith Streets, Block 29-L, Lots 40 and 58, to Guy E. McCombs, for the sum of $1,500.00. Resolution is to repeal sale and return the hand money.

Also,

No. 1874 Resolution amending Item E of Res. No. 900, approved October 18, 1984, for the sale of vacant land on Winfield Street, 12th Ward, Block 124-P, Lots 112, 113, and 114, to Henry Lockley, for the sum of $2,000.00. The reason for the above Amendment is to reverse the Treasurer's Sale numbers on parcels 124-P-113 and 114. The correct T.S. No. for 124-P-113 is #1171, and for parcel 124-P-114, the correct T.S. No. is #1128.

Also,

No. 1875 Resolution amending Item M of Res. No. 971, approved November 7, 1984, for the sale of vacant land on Library Road and Kingwood Street, 32nd Ward, designated as Block 139-M, Lots 135 and 146 to POA Company, for the sum of $1,200.00. The reason for the above Amendment is to correct the size of the lot on Kingwood

Street, parcel 139-M-146, from 464' to 462'. Both the Proposal and the Resolution should read: Lot 462 X avg. 35 feet.

Also,

No. 1876 Resolution amending Item L of Res. No. 971; approved November 7, 1984, for sale of vacant land on Belleau Street, 25th Ward, designated as Block 23-C, Lots 106, 107, 110, and 111, to Forrestine O. Lindsey, for the sum of $500.00. The reason for the above Amendment is to correct the Treasurer's Sale number on parcel 23-C-111, which should be #1775 instead of #1175.

Also,

No. 1877 Resolution Repealing Item H of Res. No. 229, appr. April 3, 1984, for the sale of a lot at 7843 Susquehanna Street, 13th Ward, Block and Lot 175-G-69, to Earnest & Ramona C. Wilkerson for the sum of $300.00. Resolution is the cancel sale and forfeit the hand money.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1878 Communication from Thomas Flaherty, City Controller, submitting a Fiscal Audit of Mechanical Devices, Bureau of Building Inspection.

Which was read and referred to the Committee on Public Safety.

Mr. Woods:

The formation of three different departments, I believe that should come under Councilman O'Malley's committee, Public Safety, rather than my committee. This has nothing to do with Finance.

Mr. Perry:

It came from the Mayor and it will be referred to the Committee on Public Safety.

Mr. O'Malley:

Is that the procedure, that anything referred from the Mayor's Office comes in through the Finance Chairman and then it is referred to the proper committee?

Mr. Perry:

Right.

Also,

No. 1879 Communication from Thomas Flaherty, City Controller, submitting a Performance Audit of the Painting Division of the Department of Public Works.

Which was read and referred to the Committee on Public Works.

The Chair presented

No. 1880 Petition from the residents of the 14th Ward, requesting a public hearing concerning the proposed group home to be located at 3238 Beechwood Boulevard, City of Pittsburgh. (This petition is valid in accordance with Section 320 of the Home Rule Charter.)

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 1881 Petition from the residents of the 5th Ward, requesting a

public hearing concerning the stabilization of the hillside between Finland Street and Blessing Street; paving of the street between Adelaide Street and Clarrisa Street; paving the street between Milwaukee Street and Webster Avenue; reconstruction of the retaining wall between Anaheim Street and Cherokee Street, City of Pittsburgh. (This petition is valid in accordance with Section 320 of the Home Rule Charter.)

Which was read and referred to the Committee on Public Works.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 1882

Report of the Committee on Finance for December 5, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1789

A Resolution entitled, "Resolution providing for the issuance of a $1,267.75 warrant in favor of Duquesne Light Company in settlement of claim for property damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 1790

A Resolution entitled, "Resolution authorizing the Mayor to issue and the City Controller to countersign a duplicate warrant to the same payee and in the same amount to replace the following warrant which was lost, stolen or inadvertently destroyed."

Which was read.

Also,

Bill No. 1791

A Resolution entitled, "Resolution authorizing the Mayor to issue and City Controller to countersign a duplicate warrant to the same payee and in the same amount to replace the following warrant which lost, stolen or inadvertently destroyed."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1793

A Resolution entitled, "Resolution whereas, City Council has heretofore enacted Resolution No. 703, Item A, approved July 19, 1982, for the sale of property in the 3rd Ward, being a 2 Story, Brick house, located at 533 Protectory Place, designated as Block 2-D, Lot 128 A, to Jim Payne and Marie Payne, his wife, for the sum of $2,500.00."

Which was read.

Also,

Bill No. 1794

A Resolution entitled, "Resolution amending Item A of Resolution No. 927, approved October 29, 1984, which authorized the sale of property in the 3rd Ward, being 3 - 3 Story Brick houses, located on Roberts Street, designated as Block 9-S, Lot 242, for the sum of $2,500.00, to Lucille S. Roy."

Which was read.

Also,

Bill No. 1795

A Resolution entitled, "Resolution amending Item L of Resolution No. 927, approved October 29, 1984, which authorized the sale of property in the 15th Ward, being vacant land, located on Chaplain Way, designated as Block 56-N, Lot 69 to Edward T. Coyne and Mary Rita Coyne, for the sum of $300.00."

Which was read.

Also,

Bill No. 1796

A Resolution entitled, "Resolution Repealing Resolutions, approved on various dates, authorizing the sale of property in various Wards of the City of Pittsburgh, in accordance with Act No. 514, as amended, and providing for the forfeiture of hand money."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1800

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of NBI in the amount of $22,518.98 in payment for the purchase of NBI Office Equipment for the City Clerk's Office without previous authority of law, chargeable to and payable from Code Account No. 1006, Equipment, City Clerk's Office, Index Code 100602."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1801

A Resolution entitled, "Resolution transferring the sum of $5,000.00 from Code Account No. 1003, Miscellaneous Services, City Clerk's Office, to Code Account No. 1006, Equipment, City Clerk's Office, Index Code No. 100602."

Which was read.

Also,

Bill No. 1816

A Resolution entitled, "Resolution amending Ordinance No. 100, approved February 27, 1975, which amended Ordinance No. 3, approved January 23, 1975, and which authorized the issuance of a warrant in the amount of $200.00 in favor of Marjorie J. Faloney, Chief Clerk, to establish an Imprest Fund in the Department of Parks and Recreation for use at Schenley Park Ice Skating Rink and South Side Park Ice Skating Rink, by deleting the payee named therein, and naming Louise R. Brown as payee: and by increasing the amount of said Imprest Fund $400.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 1883

Report of the Committee on Public Works for December 5, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1784

A Resolution entitled, "Resolution Repealing Res. No. 876, effective, October 18, 1984, entitled: 'Providing for a Contract or Contracts, or the use of existing Contracts, for the purchase of decals and placards, parking restrictions signs, and related supplies; including installation costs, for the approved Residential Sticker Parking Areas, and providing for the payment of the cost thereof.'"

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 1884

Report of the Committee on Engineering and Construction for December 5, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1647

A Resolution entitled, "Resolution Repealing Resolution No. 139 of 1982, entitled: 'Providing for a Contract or Contracts for waterline in conjunction with the Repaving of Grant Street between Liberty Avenue and 6th Avenue and the Repaving of Liberty Avenue between 10th Street and 12th Street - Phase I, and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 1648

A Resolution entitled, "Resolution Repealing Resolution No. 680 of 1983, entitled: 'Providing for a Contract or Contracts for Waterline Relay in conjunction with the Reconstruction of the Pennsylvania Avenue Bridge and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 1649

A Resolution entitled, "Resolution Repealing Resolution No. 758 of 1983, entitled: 'Providing for a Contract or Contracts for Cleaning and Cement Lining of the 42-1/2' and 42' Water Main in Butler Street and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 1650

A Resolution entitled, "Resolution Repealing Resolution No. 759 of 1983, entitled: 'Providing for a Contract or Contracts for Painting of the Herron Hill and Squirrel Hill Water Tanks; and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 1788

A Resolution entitled, "Resolution further amending Resolution No. 66, approved January 31, 1983, as amended by Resolution No. 1042, approved November 23, 1983, entitled: 'Providing for a Contract or Contracts for the Relocation of the Lowe Street Bridge Water Line; and providing for the payment of the cost thereof,' by increasing the total project allocation by $542.94."

Which was read.

Michelle Madoff:

Point of clarification. Those bills are being repealed because they're being transferred to the Sewer and Water Authority; is that correct?

Mr. Wagner:

No, not all of them. Some are repealing and one is increasing the sum of the contract.

Michelle Madoff:

My bills all say repealing, every one I have.

Mr. Wagner:

No, no. There's five bills here, four are repealing and one is amending.

The Chair:

Bill 1788 is amending.

Michelle Madoff:

Bills 1784, 1647, 1648, 1649 and 1650 are all repealing.

The Chair:

The last one is an amendment.

Michelle Madoff:

Oh, I see, I'm sorry. Okay. Everything that's being repealed is going to the Water and Sewer Authority; is that correct?

Mr. Wagner:

Correct.

Michelle Madoff:

And the last one is a waterline which is still in the Water and Sewer Authority.

Mr. Wagner:

It's increasing the allocation by $542.00.

Michelle Madoff:

Then it would be appropriate if I'm negotiating with somebody that might do business with the Water and Sewer Authority to abstain; is that correct, Mr. Stone?

The Chair:

Say that again.

Michelle Madoff:

If I'm going to represent as a consultant the company that may be doing business with the Water and Sewer Authority, I've not done it as yet but I'm contemplating it, then it would be inappropriate for me to vote on anything to do with the Water and Sewer Authority although I would have no say on who gets the work or the dollars or what the work is. I just want to be sure that I don't violate any —

The Chair:

I would say yes to your question.

Michelle Madoff:

Then on the repeals which are being transferred to the Water and Sewer Authority, I abstain on all bills then. I just wanted to be sure when I get to my vote. I just wanted to be sure that I understood it. For a possible conflict of interest in the future, I abstain.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 7 NOES none

(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff presents

Bill No. 1885 WHEREAS, the role of women needs to be expanded in society; and

WHEREAS, the accomplishments and achievements, both professionally and personally, of women in our society have largely been underrated; and

WHEREAS, during the fight for the Equal Rights Amendment, Ms. Wetherby was instrumental not only in the passage of the ERA in Pennsylvania, but also worked toward its passage in three unratified states: Illinois, Utah and Florida; and

WHEREAS, in 1969, Ms. Wetherby was founder of KNOW, the oldest feminist press; and

WHEREAS, Ms. Wetherby was a founding member of the Pennsylvania Women's Political Caucus, Pennsylvania NOW and the Allegheny County Women's Political Caucus; and

WHEREAS, Ms. Wetherby served as a member of the Pennsylvania Governor's Commission on The Status of Women under Governor Milton Shapp in 1972-73; and

WHEREAS, she was a member of the Pennsylvania NOW State Board, President of the Greater Pittsburgh Area Chapter of NOW, and President of First

Pittsburgh NOW, a position she still holds; and

WHEREAS, Ms. Wetherby is a member of the N.A.A.C.P., The Committee to Combat Klan Activities, and was an organizer for the Coalition of Concern's 1983 march on Washington; and

WHEREAS, Phyllis Wetherby believes in human rights and legal equality for all people and has, for the past 16 years, devoted herself completely to working toward the fulfillment of these goals.

NOW THEREFORE,

BE IT RESOLVED that the Mayor and the members of the Council of the City of Pittsburgh hereby recognize Phyllis Wetherby for her work toward human rights and legal equality.

Michelle Madoff moved to adopt the resolution.

Mr. Robinson seconded the motion.

Michelle Madoff:

Before we have discussion I would like to say something. I have known Phyllis for a very long time and I have watched her dedicated welfare concerns for people, all races, creeds, color. It is not just a female issue. I have had long debates with her where I thought we should just vote for women and she has talked me out of it saying that you should vote for men who support women's causes.

She really is exemplary of the kind of people that get out and work for everybody, work for all the good things in this world. I know she's involved and will be here when we have a resolution and supports the concept for the house for unwed mothers so that when it's in the good of all people we sort of put our differences aside and it is with great honor that I present this award to Phyllis.

Mr. Givens:

Mr. President, I reluctantly disagree with this resolution that women in our society have been largely underrated. I don't agree with that.

Secondly, and specifically, where it deals with Ms. Phyllis Wetherby believes in human rights and legal equality for all people, and in the last paragraph where it says, "Now, Therefore, Be it resolved that the Mayor and City Council hereby recognize Phyllis Wetherby for her work toward human rights and legal equality". That strikes me right between the breastbone for this reason. Although she has been a strong advocate for her particular belief in life, they are completely, 180 degree, ambiguity from this Councilman and his belief in life and many of the people and the fact that much of her effort has been concentrated in the area of the unborn child and that there's some 18 million children that were unborn, have been aborted, in this country and that is what she is being honored for here today and that I cannot vote for.

Mr. Robinson:

Mr. President, if I might. I've had occasion to work with Ms. Wetherby on a number of projects and found her to be very hard-working and a dedicated community servant. I think perhaps one of her most outstanding contributions has been that she has been on the cutting edget of trying to get more women, more minorities, and more Pittsburghers involved in the political process by asking them to register and then vote for those candidates that they think can best

serve our City and our County. I think her efforts over the years are going to pay off as we have more and more of our citizens taking an active interest in our City and certainly it's a pleasure for me to join in honoring her today for the time and effort she has spent trying to make this a much better city. Thank you Phyllis.

Ms. Wetherby:

First I would like to thank the Mayor and City Council for their support of women's rights and of course for honoring me. I do appreciate this. I can't take the credit for it; I think my mother who supported my independence and didn't let me learn that there were things that I couldn't do because I was a women. I think my father who supported me and still does — my mother died in 1950, my father will be 85 in February — but they allowed me and showed me how to be independent and how to not be ashamed of being a woman but to be proud of being a woman. I have since learned that I don't like what's done to women. I think we are good for many things and I believe that what I have worked for is a good life for all, including the people who are born.

I believe it is time for the Democrats in Allegheny County to recognize that women are here and that women are a majority and stop fooling around with what has been the majority support of the Democratic Party. I believe it is time that women and minority males were as important as one church. Thank you.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. Robinson
Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES 1

(MR. GIVENS VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion was approved.

Mr. Robinson presents

Bill No. 1886 WHEREAS, the problem of hunger in America is multi-faceted; the root causes include unacceptably high unemployment rates and major reductions in federal funding to job training and child nutrition programs; and

WHEREAS, the quality of life in our cities is directly affected by the growing number of hungry Americans, reminiscent of an earlier generation's plight; and

WHEREAS, those in most need are largely located in our cities, local governments bear the initial responsibility for assistance, especially in emergency situations; and

WHEREAS, the resources of local governments are severely strained by the growing problem of hunger; and

WHEREAS, the present Administration and the federal government bear the major responsibility for the cause through their fiscal policies.

NOW, THEREFORE,

BE IT RESOLVED, that the Council and the Mayor of the City of Pittsburgh, call upon the Federal Administration and Congress to enact legislation to address the ongoing problem of hunger by reversing the existing national policy and to provide appropriate assistance that would:

fund food stamps at 100% of the thrifty food plan;

expand the Surplus Foods and Commodities Program;

increase WIC Programs so that 100% of the mothers, infants, and children eligible to receive assistance do, in fact, receive it;

increase funding for elderly and disabled nutrition programs, especially the Home-Delivered Meals Program.

The Chair:

Mr. Robinson, may I suggest an amendment? Upon the Federal Administration. I think you mean that but it's not emphasized enough.

Mr. Robinson:

Precisely.

The Chair:

On the amendment. All those in favor? Opposed? The motion carries.

Mr. Robinson moved to adopt the resolution.

Mr. Woods seconded the motion.

Which motion prevailed.

Mr. Robinson:

Mr. President, if I might. I'd like to indicate to members of Council that one of the organizations that has been working very hard on this problem of hunger in our City has been the Hunger Action Coalition. Today, in the 4900 block of Penn Avenue in the 8th Ward of our City, they had the grand opening of their new offices and this Council and this City should feel proud because we have been in the forefront of putting the Hunger Action Coalition in a position that they could serve the hungre and needy people of the City. Hopefully in the future, if this Council is so disposed, and we do establish a community services trust fund, I think organizations like the Hunger Action Coalition would be serving us very well as we fund them from that trust fund. But it was a very moving ceremony today; the Mayor and I had an opportunity to participate and I think our tax dollars are being well-spent on behalf of the Hunger Action Coalition and its battle to reduce hunger in our City. Thank you.

Mr. Givens:

I have a very disturbing piece of news, to me it is anyway, in regards to a sale of our fire house, I guess it was Fire House No. 9, 5400 Butler Street. It apparently went to, not naming names or anything, but it was sold for $22,000. I assume that that was sold, being it was City of Pittsburgh property, was sold through our City government for $22,000 and I assume that might have been a bid type process but I want to find out about that.

That individual turned around and within the same sale period turned around and sold it to a Mr. Gerald Wilson for $36,000. So, the City sold it for $22,000 and in the same newspaper article it was sold for $36,000. I have to

ask the question, what is happening? That's on Butler Street; it's adjacent to a major terminal, it's a prime location, and I want to know what the City of Pittsburgh is doing.

Mike, if you could ask for a report on this and I'll take it up on a post agenda this Wednesday. The fact that this sale has already been consummated I want to know why, the City then, how they advertised. Who did the advertisement? How many people attended that particular bidding process? How was it legally advertised and why did we only get $22,000 for it when that same individual turned right around and sold it for $36,000 apparently within the same week or the same month? Something is wrong someplace.

The Chair:

Mr. Givens, this was also brought to my attention. I've made a call; I didn't get my response to it but I join you clearing that up one way or the other. It doesn't look good when you're having a sale and someone makes money.

Mr. Givens:

Absolutely.

Michelle Madoff:

As you may recall when I got here six and a half years ago, I spent six months doing some research and put together a paper on sale of properties. One of the reasons why I'm not as annoyed with the Administration is that this year they're going to come through with some of the recommendations on raising rates for suburbanites and the Zoo, the Aviary, the Conservatory. Also, I have found that the Mayor really allowed, and I say allowed, Brother Richard and encouraged him, the Administration, to put our properties up for sale and they run all the time on Channel 17.

Mr. Givens:

They do but not all of them are on there.

Michelle Madoff:

The point I want to make is that we've increased the sale of properties enormously from a position where the Mayor said to me, personally, that it was not a high priority with him. We've now made the properties available to everyone because earlier, remember when I tried to embarrass the Administration, I went out and bought a piece of property, not on Butler Street but in Shadyside, in prime location, on Bellefield, right across from where the Wine and Cheese Cellar is. The bid opening price was $2300. I went to court; I put up my 10 percent. Pivarotto and Woods came in and they didn't have anything down. The court ruled that we just wanted to get the most money. Therefore, they allow them to bid even without having to lock up their 10 percent for a period of time. I don't recall exactly, Mr. Stone, but I think I bought it for — the next highest bid was $5000 under mine; I bought it for $5500 and I turned it over to the people who had located the property six months before at exactly what I paid for it. I didn't make a dime on it.

That was just to make a point because in 24 hours I had at least 10 offers to sell it, sight unseen, for $10,000 or $12,000. The point that I'm making is that if everybody has equal access, that's all we can ask for. Does everybody have the same opportunity?

The Chair:

The only question on this one is,

as I indicated it was brought to my attention as well — All they're trying to do is to find out if that's so; then people will be told and it will not seem as though something had happened that should not have happened.

Michelle Madoff:

You're right, Mr. Stone, but I think you and I would agree that marketing is a very important facet. When you have a piece of property on Bellefield Street and it's not marketed, the only thing you can do is equal opportunity.

The Chair:

That's why he called for a meeting Wednesday.

Michelle Madoff:

Alright, but do you remember I've been asking to have the Appraising Department funded and have more appraisals because properties today in areas, in Brookline, the 20th, some of the 20th Ward, 19th Ward, there are some very tremendous properties. I know people who built houses on wooded level property where they paid $5000 and $6000 for a lot and now we're selling an acre for that, two or three acres. You could put six houses on it.

The Chair:

Don't get tired; I want to do this with you on Wednesday.

Michelle Madoff:

All I'm saying is we never reappraised it.

Now, on the issue that I wish to speak on; you asked me to bring it up today.

I think it's inappropriate, for two reasons, that I remain as head of the Water Committee. First of all, there is no such committee. Nobody talks to me, I don't know what's going on, I have no input. This is all going to be handled by the Water Authority. In my discussion with Mr. Roddey I went through a litany of everything I could possibly think of that's wrong with the operation of the Water Department. He had I understand a sidebar meeting — I think Mr. Wagner was present, is that correct? — at the Authority and he's going to start addressing some of these problems and some of them are of very significant magnitude.

It seems to me with Mr. Wagner serving on the Water Authority that it is a natural flow for him to have both of those committees. In light of the fact that I might possibly or conceivable be doing some work with the Water and Sewer Authority, I don't think I should even have the appearance as head of the Water Committee, which has been a non-committee, since the Authority has begun. I spoke with you and I respectfully request that perhaps I would have a department created where I would work on the Refuse Department and pick-ups where people are complaining about days when we have vacations and some of the concerns we have about filling the jobs and the bidding process which would not be in conclict. I am the one person on the sub-committee of energy, which I think is something that I would also like to pursue and I've discussed that with you.

I would like to tender my resignation as head of that Water Committee simply because I'm window-dressing and because I think there might be the appearances of conflict.

The Chair:

As I indicated to you, it would have to be a matter of whether or not that committee was picked up and the other one is, before I can give you some other authority, before I take from someone, someone would have to relinquish something and I'm working on that if that's what your wish is.

Michelle Madoff:

I understand that but may I relinquish the Water Committee? I've spoken to Mr. Wagner who agrees that it does belong with him and would be happy to take it.

The Chair:

If you're tendering your resignation, that's it.

Michelle Madoff:

But somebody should have that committee; I want to be sure I'm not walking away without somebody being responsible.

Mr. Wagner, am I accurate?

Mr. Wagner:

That's entirely up to the President according to the Charter.

Michelle Madoff:

But would you be willing to take that if it were up to the President?

Mr. Wagner:

As I indicated, that's entirely up to the President of Council as to whom he gives that committee to. I'm sure he may have some other considerations.

Michelle Madoff:

Mr. Stone, do you not think it would be appropriate, we've discussed it, since Mr. Wagner is on the Water Authority to take that committee?

The Chair:

It would appear to me that that's a close consideration.

Mr. Wagner:

It's fine with me if that's his decision.

Michelle Madoff:

Is that your decision, can we resolve it? I hate to have it hanging.

The other issue is what committee I would have, if any. I'm not on a board or an authority so it gives me lots of time to investigate everything. I suggest you put me on something and get me off you backs.

The Chair:

You've tendered your resignation, he indicated he's willing to accept it.

Michelle Madoff:

Is it alright with the President? So now you're looking for a committee for me.

The Chair:

For that we'll find out what else is available but as I indicated to you I will now have to have someone relinquish something before I can —

Michelle Madoff:

I'm giving up nothing because I

had nothing. I find a bill every four months on my table that somebody else promulgated that I know nothing about.

Mr. O'Malley:

I'd like to read a letter into the Record that I received, one, because it was critical of this Council and two, because it sort of demands or at least requests an apology. The letter is from Mr. Roddey who is, as I just found out, the Chairman of the Three Rivers Arts Festival. It says:

"Honorable Councilman James O'Malley

Dear Jim:

As Chairman of the Three Rivers Arts Festival, I am greatly disturbed and disappointed that you would publicly criticize that institution without first expressing your concerns to me.

Since becoming Executive Director of the Festival, John Brice has performed a remarkable turn-around of the Festival's program. The Festival has upgraded its quality of both the visual and performing arts, reduced the number and clutter of food booths and stabilized our financial condition.

Your remarks indicate a real lack of knowledge" — I don't know if that was directed at just me or at all members of Council because quite a few members were critical — "Your remarks indicate a real lack knowledge of what has taken place at the festival in the last 18 months and a failure to recognize the effort and dedication of a fine young man." — That statement leads me to believe that Mr. Roddey himself doesn't know what he's talking about. —

"I believe that Pittsburgh City Council owes Mr. John Brice a public apology.

Very truly yours,
James C. Roddey"

I don't know if any other members of Council got this letter but if anybody would like to apologize I think Mr. Roddey would appreciate that.

Michelle Madoff:

I got it.

Mr. O'Malley:

I'd like to read the letter that I sent back to Mr. Roddey.

"Dear Mr. Roddey:

In response to your letter addressing Council's remarks to Mr. Brice concerning the Three Rivers Arts Festival and your request for an apology by members of Council, I was unaware that you were named Chairman of the Festival. It is becoming increasingly more difficult to keep track of the various boards and authorities that you chair or are a member of. You seem to be moving faster than a speeding bullet. I am sure your epitath will read, 'Never has one person done so much for so many and accomplished so little."

My remarks to Mr. Brice were critical of the bid process used by the Arts Festival to obtain concessionaires. The process freezes out many of the smaller Pittsburgh businesses who can not afford the $15,000 up-front fees.

It has always been a practice of Pittsburgh City Council to give the people who reside, work, and pay taxes in the City of Pittsburgh the first opportunity to participate in the various programs and functions sponsored in whole or in part by taxpayers' dollars. Of course, being a relatively newcomer to Pittsburgh, I can see how you might

not understand this point of view.

Might I suggest that you narrow your concerns to the problems of the Port Authority Transit. Your attempts to solve the major transit problems of Pittsburgh by throwing millions of dollars of taxpayers' monies added is both unimaginative and unimpressive.

Cordially yours,
Councilman Jim O'Malley"

It's not quite the apology Mr. Roddey was looking for but it's my response to his letter.

Michelle Madoff:

May I address this since I got the same letter? Our office received the letter and they're very disturbed with me for my position. I can understand where you take umbrage, Mr. O'Malley, and I do think that there seems to be some communication between what actually was said here and what Mr. Roddey heard here.

I, for one, have great personal regard for Mr. Roddey; I've known him practically since he got here. I had some dealings with his partners who are exemplary people and I think Mr. Roddey really means well. Fortunately, he's in the financial position to do some things for the community and I think he really cares and is trying to do some things. I don't think we can question his motives because if we're going to question his motives I think we could question everybody's motives on this esteemed body.

I do think that we owe an apology, not to Mr. Roddey but to the young man who was here and who was new and who was ill that day. As a matter of fact, we ended the hearing rather abruptly because he had perspiration coming down his face and he was obviously running a temperature and was weak and asked to sit down. None of us were aware that he was ill. The points that were made that I think have been somehow like a broken telephone, distorted in the translation, was that I have no problem with the Three Rivers Festival but I don't believe it's an arts festival. That was the only point that I made; that the finer artists have been somewhat reluctant, not somewhat, greatly reluctant, to submit their art and that he ought to look into that area; if they're going to call it an art show that it indeed be an art show.

Personally, I think it brings a lot of money and a lot of activity to the community. I certainly wouldn't want to have the Arts Festival — excuse me, the Three Rivers Festival; I'm doing it again because I remember it as an arts festival. I used to go down and buy art; I'm an art collector, modest though it be and I enjoy the little side booths that sell art. You know, you but somebody a Christmas gift for $30 or $20, some of the stained glass things and it's a very wonderful event. Last year as you may recall, when Mr. Stone was Chairman of the Finance Committee, I had written into the monies that went to the Three Rivers Festival that they would put some of their funds to cleaning up the pigsty. Now Mr. Roddey is saying that we've done a better job of cleaning up so I think that's a cooperative kind of effort.

I wish we were all as fortunate as Mr. Roddey so that we could serve on commissions. He's an excellent businessman. I think he has the respect of a lot of the business community. I think it's unfortunate that somehow in communications his interpretation of what happened was distorted and I would offer an apology to the person who represented — Mr. Brice, that we did not know he was ill and what we were asking was consideration of our concerns; it was

not an attack on Mr. Brice. Is that correct, Mr. O'Malley? We were not attacking; we were offering our considerations and asking him to take them back and present them.

Since I got the letter I just wanted to get both sides of this issue.

Mr. O'Malley:

I don't think my remarks were that critical. All I was doing was offering suggestions that I thought might expand and let a lot of Pittsburgh businesses participate that cannot now participate. I'm not going to apologize for that.

Michelle Madoff:

Obviously Mr. Roddey didn't hear that and my suggestion is that a transcript be given to him.

Mr. O'Malley:

I suggest Mr. Roddey pay more attention before he fires off letters.

The Chair:

As the Chair remembers that meeting, there were some constructive criticisms made and that should be expected. Council should not accept everything in total and I don't find any fault with that. But if you will recall, some of the criticisms that were made were proper criticisms but unfortunately based on a time frame in which Mr. Brice was not there and that prompted me to remind all that under Mr. Brice things had changed. I can understand that meeting once a year as they do, any blemish on that record prior to the time of them instituting a program tends to be damaging and their fighting to number one, improve it and number two, solicit new people into it. If it starts with a blemished record regretfully they can't get it on the face that they'd like to have it done.

I think in that light, everyone is well-meaning; we need not carry it too far.

Michelle Madoff:

Mr. Stone, I might mention that the opening of the restaurant the other day at the Carlton, they had John John the cartoonist and they're raising money for the Three Rivers Festival. It was $75 to have a caricature done and I did have one done.

Mr. Wagner:

I received a similar letter and that same day, as Mr. Perry knows, I responded to it and I suggested he check before sending the letter, that Mr. Roddey obtain a tape of the meeting to clarify the things that were said because obviously there is a misunderstanding.

Mr. Robinson:

On a subject equally as controversial. I want to talk about the U.S.S. Pittsburgh.

As Council is aware, I did offer a resolution requesting that the United States Navy not name a nuclear attack submarine in honor of our City. Unfortunately, the Navy did not heed my concern and the concern of others in this City about their actions and they did so name that submarine on Saturday. At the same time that submarine was being named, there was a rally on the steps of City Hall by a number of concerned Pittsburghers and people in this area who are still concerned about the implications of a nuclear attack submarine being named on behalf of this City and the $700 million pricetag which

some believe could have more wisely been used to address some human needs in this City, jobs, housing, food.

Council is also considering now the setting of a hearing date for those people who want to discuss more fully with us the implications of the naming of the U.S.S. Pittsburgh and I have in my office several hundred names on petitions in addition to the names that Council has requesting the hearing. What I would like at this time is to know if the Chair is prepared to set a hearing date and whether or not that date could be set at the earliest possible time, taking into consideration that we are still in budget deliberations. But I think it would be important if we could get a firm hearing date and I'd appreciate your cooperation.

The Chair:

The City Clerk and I talked about trying to set some of these hearings down and where we are now is in early January for most of the stuff.

Mr. Robinson:

Thank you.

Mr. Givens:

I'd just like to make one comment before I go into a new subject. I thought it was very disgusting that they showed just about a five second clip on that one news channel that I was looking at of those people demonstrating on the halls of our Council down here. It seems to me that the people of the City of Pittsburgh, all the ones that I have spoken to or have spoken to me, feel completely different. I have to ask those people that are asking for peace, what cost is the price of peace? What cost? Keep it in mind.

On another subject, Mr. President, if I might. Mike, a post agenda this coming Wednesday. Legislation was introduced in the Council of the City of Pittsburgh today be it a letter from the Mayor of the City of Pittsburgh, the Honorable Richard S. Caliguiri, dated December 7. I like that date because that was Pearl Harbor and I think this is another Pearl Harbor that's going to happen. In that, he asked for the President and members of Council ensuing changes of the Pittsburgh Code to reflect the creation of the Public Safety Department. This ordinance should be enacted with the 1985 Budget.

If I might, fellow Councilmembers, from what I can get from our Finance Chairman and from Mike Perry, our City Clerk, we will be having a preliminary vote on the 1985 Budget possibly this Saturday. This bill that was introduced into Council, although it says this ordinance should be enacted with the 1985 Budget, will not in fact be coming up for debate until a week from this coming Wednesday. However, we're to have a preliminary vote on our budget, possibly this Saturday. That's why I'm asking for this post agenda because the people who are going to be affected by this will not have their day in this Council unless we give it to them. Let me say what this ordinance change is; amending and supplementing the Code —

The Chair:

Mr. Givens, hold on a second. If that bill is coming up the following Wednesday, it's obvious we couldn't close the budget until we resolve that issue. I'm trying to meet with the Finance Chairman now and there has to be a series; that would have to come prior to the time of any final vote. We will pick that matter up so it's —

Mr. Givens:

Well, you can talk until whenever but let me continue on about why I want this post agenda and hope that all of the Councilpeople will join me there to ask intelligent questions on both sides of the issue because we're not going to have an opportunity to really debate this with the type of length that I think it's going to require. But let me tell the people out there what's going to happen. They already know but I mean the legal legislation. You'll get my point as soon as I'm finished if you can just hold your questions back.

"Amending and supplementing the Pittsburgh Code by creating the Department of Public Safety, placing it under the charge of a Director and setting for the the powers and duties of the Director and repealing Chapter 115, Department of Police, and Chapter 117, the Department of Fire, and Chapter 143, the Department of Emergency Medical Services."

Now, what does this mean? The Pittsburgh Code is hereby amended to create a Department of Public Safety as follows: The head of the Department — and keep this in mind as I go back in and share with you what each of these three departments and each of these three chapters means and we're changing the body of power from the Police, Fire and Emergency Medical and placing it directly in the Director of Public Safety — the Department of Public Safety shall be under the charge of the Director who shall be the head thereof; 116.02 The Powers and Duties of that Director, the Director of the Department of Public Safety shall have the following powers and duties — Ladies and gentlemen, this person is not an administrator. The powers and duties of this office are the care, management, administration, supervision, director control otherwise, of the Fire, Police and Emergency Medical, the City's emergency communication system, including all those branches of services, the enforcement of the Building and Fire Prevention and Business License Code of our Building Inspection and providing for the educational programs concerning Police, Fire and Emergency Medical matters to the general public.

Now, the powers and duties of a superintendent which are going now to the Director. The Superintendent of Police shall have the following powers and duties, which he is not going to have now because he is not a Director and he will not have these powers; they're being transferred over to this new monster that the Mayor wants to create. The care, management, administration, and supervision of all the City's Police force and all matters pertaining to Police affairs, no longer does the Superintendent of Police have any responsibility. Preservation of the peace, riots, anything that might go along with it, perform any other duties assigned by the Mayor. The powers and duties of the Fire Chief are being taken away from the Fire Chief in regards to prevention and contain any fires and render other emergency aid and rescue services as may be necessary for the protection of life, property in a manner determined solely by him and his agent, that is the Fire Chief. Now, the determination solely by him for the life and the property of the people of the City of Pittsburgh is invested now in that new head that the Mayor has so asked us to enshrine, and force the fire prevention laws and perform other duties and Emergency Medical provide emergency medical care and transportation to people living, working and visiting Pittsburgh provide rescue service, provide an education in general and other duties provided the Mayor.

So, it's not an administrative position. This person, whoever that person might be, the Mayor has so indicated it would be Glenn Cannon. Well, you must look and see the powers and duties, the awesome powers and duties. This is not like the responsibilities of the Public Safety Director of the past. That person was almost purely administrative in nature; he was an attorney. It require an attorney. In fact, all Public Safety Directors were attorneys. This was tried in Chicago back in the mid-50's under Mayor Daley, a very strong Mayor, a very strong Democratic machine, and after three years they threw it out. I think Pete Flaherty was right on target when he through this thing out of the City of Pittsburgh in the early '70's and now to reinstitute this particular thing we're taking the powers and duties away from our three rescue and life support elements of the City of Pittsburgh and directing them into the head of one person. My God, how much that person, how much qualifications that person must have. What burden has the Mayor placed on this individual when in fact that Mayor of the City of Pittsburgh, who was elected by the people, had this burden. The Mayor had this burden directly from those Fire Chiefs, from those Police Chiefs, and from the EMS people. They came directly to the Mayor and now they are not.

So, I want to have this post agenda and Chief Clerk, Mike Perry, I want to invite the unions, the President of the unions and their bodies, secretaries, etc., to come and address this Council on a post agenda this Wednesday after our final bills are passed. I would like, if I could, Mr. Chairman, I know we don't televise post agendas but I think it's of interest to the public and the fact that these individuals who represent their respective bodies have not had an opportunity to come before our table and address us. They have addressed the media, they addressed us individually, but they have not had a forum to address the public who we are all elected by and responsible to. I'm going to have that regardless because that is my privilege to have it; I think it's worthy of being televised, if you so desire that it should be televised, because our meeting Wednesday should be a very short one, so as a result, the camera people won't be held here any longer. I want to hear from the Presidents of our various unions as to what affect this is going to have. I only know the surface affect in many cases but I want a line by line description. This is very broad in nature but what does this mean to the people of the City of Pittsburgh? What does it really, really mean and what does it mean to their safety? I want the people of the City of Pittsburgh to hear it loud and clear. I hope the media does cover it and cover it very broadly and not for this Councilman; I want them here for the rank and file who are going out there and saving our citizens' lives, the lives that we, when we take that oath of office, are asked to uphold. Hopefully, they'll give us some thoughts of concern in an area of their wisdom, collective wisdom, as to how this is going to affect all of us in the City of Pittsburgh, including all of us right here in these Council Chambers.

The Chair:

Let me try again. May I suggest that we not set the exact time but understand that it will be before the vote is concerned. I'm fearful that Wednesday might be too quick but we ought to have it maybe, if we're voting on Saturday, it ought to be Thursday or Friday. That's the only thing I'm saying to you.

Mr. Givens:

And when we vote Saturday, one

person can challenge, under formal Councilmatic rules, can challenge any one of those three heads that I've asked to come forward and they can be challenged. I'm going to be sure that when we're in session anyone can be challenged at that table and someone is going to challenge them. I'm going to give them an opportunity in this democracy of ours that we call the government of the City of Pittsburgh to have their freedom of choice.

The Chair:

Mr. Givens, all I can say to you is that there has been no intent to do it otherwise —

Mr. Givens:

Then why was it when we were sitting at this other table in the Committee session when I asked Bernie Burns to come to the table that he was denied to come to that table?

The Chair:

Dick, I am not fighting with you; I am not fighting with you. I'm merely trying to set up a logical time.

Mr. Givens:

The logical time is going to be this Wednesday in a post agenda and I hope all of us will be here and I hope all of us will have some questions to ask these people who only command and control about 2,800 employees of the City of Pittsburgh, better than 50 percent of our working force. I think it is not an item that we can sweep underneath the rug and have one swift vote on it without these gentlemen and their bodies being represented before the public.

The Chair:

Have you finished? Alright. I want the floor right now. No one has objected to your right to request a hearing on this subject. In fact, that is what I'm trying to give you. The only thing that I am suggesting, and I'm hopeful you'll listen and understand it, is the question of when it should be. If it's to keep so that you're protected that no one is going to challenge it, all we do is move the post around. And that's no big deal, it's no problem and it's no denial. All I'm trying to do is find a time that fits in with it. That's all I was trying to ask you.

Mr. Givens:

Then you'd be against your parliamentary rules because this is a piece of legislation that was introduced and it won't come up for discussion until Wednesday a week. Are we going to wait that long before we have a preliminary vote on the budget?

The Chair:

Dick, that's not what I even said.

Mr. Givens:

I'm telling you what the rules of Council are.

Michelle Madoff:

He's giving you what you want, Dick.

The Chair:

I'm giving you exactly what you want but I'm finding difficulty.

Michelle Madoff:

Mr. Stone, I just checked with

Mike Perry. As you recall, I introduced a bill that was of concern to Mr. Givens' today that no one member can any longer prohibit anybody to come to Council. I just want to make a point that you need two-thirds vote to override that so I don't think he has a problem.

Secondly, all you have to do is change it from a post agenda to a hearing and you don't have a problem.

We have another thing that I also want to point out. When we went to the budgetary process, it was pointed out by the Fiscal Officer that whether we have the Mayor's "new proposed plan" or whether we stay as we are, the dollars are the same, basically the same. Therefore, we don't have to be stampeded, and I don't want to be stampeded, into voting for anything. If the budget is basically the same whether we have a safety umbrella or whether we have autonomous individual departments, the question really remains, when we get to vote on it, what this Council decides and it won't matter whether the budget is approved. The issue of whether the Director will be Mr. Cannon is a separate and apart issue. I have told the Mayor, and perhaps this is news to some people, I have personal very high regard for Mr. Cannon and the job that he has done for the Paramedics and I think he's an outstanding administrator in his field. However, for the morale of the Fire and Police, it may be a very bad appointment. As of this moment, I would be inclined to vote against his appointment and I hope to tell him that personally because I have commended him publicly but I think we have to look at the broader picture.

Mr. Givens:

Mr. President, if you can, based upon your wish to have a public hearing or public discussion within Council prior to the Saturday that we're going to take a preliminary vote, if you can have it Thursday or Friday of this week where you can squeeze these people in, I'd be very happy to go along with that. But I want assurances and I want assurances in writing, and I say that because you say you mean something and you've always been worth your word as far as I'm concerned, but I'd like someplace in the budget process that you let each Councilperson know when this is going to be sandwiched in and do that by tomorrow morning. Can you do that?

The Chair:

That's all I'm trying to say to you.

Mr. Givens:

Fine. Mike, I will still have that on the post agenda —

The Chair:

You've asked for and you're entitled to a post agenda and we'll try to adjust that around as to when it should be.

Mr. Givens:

I need it by tomorrow morning as to when you're going to do it. Do I hear that loud and clear? By tomorrow morning we'll hear and it will be part of our budget deliberations as to where these people will be able to come in and be heard? And no time limitations on it, no time restraints. Thank you.

The Chair:

That was never even intended. It's just trying to get a time, that's all.

Mr. Givens:

Thank you.

Mr. Wagner:

I second Mr. Givens' motion to televise that post agenda.

Michelle Madoff:

And I third it. Are we going to televise it?

The Chair:

I don't see any problem.

Michelle Madoff:

Good.

Next item. I don't want anybody giggling; no fun, I want you to be serious about this. I have a genital defect; my daughter, my mother and I have it — Mitroprolapse. Because of it there's a new piece of equipment in the City that I was invited to take a look at. It is Dr. David Huber, I guess his company, it's called Medical Laboratory Network. It's a piece of equipment that measures your heart capacity and obstructions and so on.

The reason I went to look at it I think is very interesting. He wanted to show me the equipment; many doctors have it but this is the absolute, ultimate state of the art. My doctor is Dr. Bill Tuttle but this is Dr. David Huber. They told me what I had for dinner the night before. When I was taking the stress test, they told me what food I was working with, whether it was protein or carbohydrates. It's really phenominal. It is used for the sports teams to see if somebody says they're tired to see if they really are tired, etc.

The reason I bring it up is that a lot has been said today and at other times about the issue of workmen's comp and on the hiring and firing of police people; you know, if they have a problem, can they really function. I'm delighted to say that I'm in excellent health; I can't tell anybody I'm tired because the report was A-1. I just wanted to share with Council that this kind of equipment is available in the City for Melanie Smith to consider before we say to somebody, "We can't hire you because you have some kind of a problem; you won't be able to function." and we're going to take the liability or indeed to protect us on claims. So, I'll see that she gets it and I did want to share it.

But I also thought it might be a very good idea that once a year all members of Council, government, department heads, get a check by one or two fo the three people who do work for the City and have a complete checkup. I think it would be in the best interest of the public to do that. There's no charge for this because we're covered under our medical whatever and I believe that that fee would be covered. Everyone having a test each year would be covered. I was also tempted to say that we have a shrink come in and test us but I figured that may not fly so I thought I'd leave that out.

The Chair:

I don't want to touch that line.

Michelle Madoff:

I just wanted to share the information that this equipment is available.

And on the motion of **Mr. Wagner**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII Monday, December 17, 1984 No. 49

Municipal Record

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, December 17, 1984

PRESENT:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Givens presented

No. 1887 Resolution transferring the amount of $7,723.98, unencumbered 1983 balance from Code Account 1661, Misc. Services, Supplies, Repairs, Materials and Equipment, to Code Account Community Communications Trust Fund (CC), Index Code 250555. Transferring the amount of $1,111.93 unencumbered 1983 balance from Code 1660, Salaries & Wages to Code Account Community Communications Trust Fund (CC). All accounts within the Bureau of Cable Communications, Department of Public Works, Index Code 250555.

Also,

No. 1888 Resolution providing for the issuance of a warrant in favor of Domenic Parente Contractors, Inc., in the amount of Seven Thousand Nine Hundred Fifty Nine ($7,959.00) Dollars in payment for Extra Work done on the reconstruction of the Torley Street Sewer, and other work incidental thereto, chargeable to and payable from Code Account PW 84-29, 4-01-25-0754-84, Index Code 307058, Emergency Sewer Replacement.

Which were read and referred to the Committee on Finance.

Michelle Madoff presented

No. 1889 An Ordinance supplementing the Pittsburgh Code, Title One, Administrative, Article VII, Procedures, by adding a new Chapter 173, Fiscal Year, of the City of Pittsburgh by changing the fiscal year from the first day of January to the last day of December to the first day of July to the last day of June of each year. **—(SPONSORED BY MICHELLE MADOFF)**

Which was read and referred to the Committee on Finance.

Mr. O'Malley presented

No. 1890 Communication from Charles Lewis, Chief, Department of Fire, requesting authorization for Paul J. Imhoff, Henry Hegerle and Bernard Liff to attend the B.O.C.A. Mid-Winter Code Change meetings in Peoria, Illinois, January 8-12, 1985, at a cost not to exceed $2,300.00, payable from Code Account No. 1476, Misc. Services, Travel and Education Expense, Department of Fire, Bureau of Building Inspection.

Which was read and referred to the Committee on Public Safety.

Mr. Woods presented

No. 1891 Resolution authorizing the issuance of a warrant in favor of Volpe Insurance in the amount of $8,927.00, in payment for interim stop-loss insurance covering the City of Pittsburgh's self-insured workers' compensation program, chargeable to and payable from Code Account 44, Index Code No. 004408, Workmen's Compensation Fund, Department of Finance.

Also,

No. 1892 Resolution providing for the transfer of $2,500.00 from Code Account 1060, Index Code 106005, Finance Department Salaries, Regular Employees, to Code Account 1061-1, Index Code 106112, Finance Department Premium Pay. This transfer is needed to meet expected Premium Pay costs for the remainder of 1984.

Also,

No. 1893 Resolution transferring $914.17 from Code Account 10, Index Code 001008, Accounts Payable, Prior Years, Department of Parks and Recreation, to Code Account 1838, Index Code 183806, Misc. Services, Department of Parks and Recreation. **—(SPONSORED BY MR. WOODS AND MR. STONE)**

Also,

No. 1894 An Ordinance amending the Pittsburgh Code, Title Two, "Fiscal", Article VII, "Business Related Taxes", Chapter 245, "Earned Income Tax", Section 245.04, "Collection at Source", Subsection (c), to change the filing date from February 28th to January 31st.

Also,

No. 1895 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, by changing the Rate of Interest on certain Delinquent Earned Income and Home Rule Taxes for the year 1984 at 8-1/2 percent to read for the year 1985 at 8-1/2 percent.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 1896 Communication from Michael Perry, City Clerk, requesting permission for Eileen Conroy, Supervisor Word Processing Operators, to attend a one-day seminar, "Developing Effective Supervision", to be held in Pittsburgh, PA, at the Harley Hotel, on January 11, 1985, at a cost not to exceed $200.00, payable from Code Account No. 1001-1, Misc. Services, Supplies, Equipment, etc., Index Code 100101.

Which was read and referred to the Committee on Finance.

Mr. Givens moved to suspend Rule 8 on all the bills by providing for

consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

UNFINISHED BUSINESS

The Chair presents

Bill No. 1201 Resolution approving the appointment of Mr. Charles Rhodes of 10 Allegheny Center, 809 Pittsburgh, PA 15212 to the Minority Business Committee for a term to expire April 1986.

Which was read.

Mrs. Masloff moved to approve the appointment.

Mr. Robinson:

I have a question.

Mr. Woods:

If I may, Mr. President, I thought we discussed it last Wednesday, entertain the individual, have him speak and so forth — I believe there is another appointee or two other appointees — after the Mayor appointed these two individuals and they come in before Council that we would act on all three at the same time. I could be wrong, but I thought that it was the consensus of Council that —

The Chair:

Mr. Robinson, did we formalize that? I'm not so sure we had, but —

Mr. Woods:

Yes, it was a consensus of Council, and I was chairing the meeting, and I think that's the way it was.

The Chair:

All right, then just hold the bill.

As far as that appointee is concerned it is the Chair's ruling at this point that everybody has agreed that this will be held until we get the other two appointments so that there will be no question on it.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 1897

Report of the Committee on Finance for December 12, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1817

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Vogelpark Walsrode Zoological Garden, in the amount of $3,920.00 in payment for the purchase of birds for display at the Pittsburgh Aviary, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1818

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Fauna & Flora, in the amount of $805.00 in payment for transportation services for birds at the Pittsburgh Aviary, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1819

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Access Transportation Systems, Inc., in the amount of $892.80 in payment for transportation services for the Senior Citizen Program, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1820

A Resolution entitled, "Resolution transferring $293,000.00 from Code Account No. 1843, (Index Code 184309), Senior Citizens Program to Senior Citizens Program Trust Fund, (Index Code 254250), in the Department of Parks and Recreation; effective January 1, 1985, and contingent upon the 1985 Budget approval by City Council."

Which was read.

Also,

Bill No. 1831

A Resolution entitled, "Resolution transferring $1,000,000.00 from Code Account No. 41, Index Code No. 004101, Refunds, Real Estate Tax, Department of Finance to the Real Estate Refund Trust Fund Account, Index Code No. 253955, Department of Finance."

Which was read.

Also,

Bill No. 1837

A Resolution entitled, "Resolution designating Banks and Lending Institutions to act as depositories for the year 1985 in accordance with the Pittsburgh Code, Title Two, Fiscal, Article III, Depositories."

Which was read.

Also,

Bill No. 1838

A Resolution entitled, "Resolution providing for the conveyance of certain property in the 19th Ward, City of Pittsburgh, designated as Block 35-J-part 75 to William L. Gray, d/b/a Beechview Beer Distributing Company, Incorporated, for the sum of $4,000.00."

Which was read.

Also,

Bill No. 1839

A Resolution entitled, "Resolution amending Item I of Resolution No. 971, approved November 7, 1984, for the sale of property in the 17th Ward, being a vacant lot, located at 144 Pius Street, designated as Block 12-N, Lot 215, to Wayne A. Andrzewski, for the sum of $300.00."

Which was read.

Also,

Bill No. 1840

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at a tax sale in accordance with Act No. 514 of 1947 as amended."

Which was read.

Also,

Bill No. 1857

A Resolution entitled, "Resolution transferring the sum of $100,000.00 from Code Account No. 1443 (144303), Salaries and Wages, Regular and Temporary Employees, Department of Police, to Code Account No. 1443-4 (144345), Premium Pay, Department of Police."

Which was read.

Also,

Bill No. 1864

A Resolution entitled, "Resolution providing that the conditions and requirements of Resolution No. 928 and 929 approved October 25, 1984 be effective subject to the Treasurer, City of Pittsburgh initiating and completing fiscal audit of gross revenues of Warner Cable Corporation of Pittsburgh for the years 1980, 1981, 1982, 1983 and until a close out audit has been conducted by the Treasurer, City of Pittsburgh and all fees due and owing the City of Pittsburgh are paid in full." (AS AMENDED IN COMMITTEE)
—(SPONSORED BY MR. ROBINSON)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the

bills passed finally.

Mr. Givens presented

Bill No. 1898

Report of the Committee on Public Works for December 12, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1585

A Resolution entitled, "Resolution changing the name of Second Avenue, from Ross Street to Grant Street in the First Ward of the City of Pittsburgh to Court Place."

Which was read.

Also,

Bill No. 1736

A Resolution entitled, "Resolution vacating College Street from Centre Avenue to the Pennsylvania Railroad (Conrail) property, excepting and reserving easements for the 6 inch waterline and the 54 inch and the 30 inch sewer lines located therein in the 7th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 1815

A Resolution entitled, "Resolution authorizing and directing the Department of Public Works' Bureau of Cable Communications to store and file all video taped recordings of City Council's Regular Legislative Meetings, Standing Committee Meetings, and all other televised official Council sessions as part of the City's official public record."
—(SPONSORED BY MICHELLE MADOFF)

Which was read.

The Chair:

This is our negative recommendation. We'll vote on it in the form that it is. If you're for saving those documents, signify by saying aye; if you're opposed you'll say no.

Michelle Madoff:

My concern is that Council should have a meaningful record. May I point

out to my colleagues that the taping of Council meetings was by Bill's or my recommendation. Mr. Perry has been indeed very helpful. We've had episodes where tapes have been missing from the files of our stenotypists, they have never been retyped, they have never been typed because we never had them, and there's a difference when you read a transcript. Sometimes we read our own minutes, and you say, my God, this doesn't sound like what I was saying, then when you actually see it on a visual —

Too many things have come up, the issue of the apartheid, the issue of tax legislation and how we represented ourselves, how we vote on issues that we may want to go back and look at.

We're not talking about a lot of money. We're talking about putting them on a video tape as opposed to a cable kind of tape, a television tape, which is relatively inexpensive. It will not be voluminous to keep.

First of all, there should be rules which we would establish subsequently as part of Rules of Council as to how they would be disbursed or not disbursed. I don't think they should be given out really to anybody that wants them, but may I point out on two occasions, once with Controller Flaherty when he was on Council and myself, I had to go to court to get a copy of a tape that took place. That should not happen. The tapes are erased almost immediately, and something comes up where we may need to say hey, I was the one who told you this before, don't accuse me on this issue.

I think many of us get sucked into things that we really don't know what we're doing, and we vote on issues that we shouldn't be voting on. We need to go back and look at the records.

I can't believe that this Council, when we're talking about the little bit of money, and we're really not talking about substantive dollars, would vote against keeping a video kind of tape that you keep on a VCR as a permanent record. I think there's a point where maybe at the end of the year we could have a committee review what isn't absolutely ridiculous to keep, some hearing that somebody came in to ask for a zoning that took three minutes and nobody was in opposition. I don't even know if you'd need that kind of thing. That would be a decision of brighter minds than mine as to whether you'd want that as a record as well.

But I think on a majority of meetings sometimes things that we think are innocuous turn out to be very important. There was a meeting here where one of my colleagues was disturbed about a letter that was circulated. We should have had that tape when it was discussed. For whatever we may be called on, either in litigation or in permanent records, somebody could be sitting at home right now making tapes. I mean it's not something that we can stop from happening anyway. Why have someone do it to us and record us and spy on us? Why don't we just keep our records?

Mr. Givens:

Yes, it was not my intent, I think the total price tag that Brother Richard explained to us I believe was $1,200 on his cost anaylsis to photograph and give us the cartridges on each of the public hearings. I think he indicated some 100-plus sessions along with our public hearings.

I think we're within the 20th century right now and the media is that of television, and the fact that much does go on and to have additional

backups — we do have a steno that takes down verbatim testimony. We do have a record player that sometimes I have to use in order to find out where it's at that I'm looking for.

Again, the video would be something that would be very up-to-date, and I think in our modern day and age of people looking at video, the various channels that we have, two government communications channels, that this would be something that we go back historically and preserve, and John Wayne never threw out any of his movies.

On a very serious note, I think the cost involved, the historic significance of the tapes as anyone that might want to go over and review what this Council body has done, as many of us have to do, go into the municipal record, and that is it; and it's true what Michelle has indicated over the years they have lost recordings, people have lost notes, and et cetera the tapes are erased. This would be another record-keeping process to back up our existing process that at times, because of the quantity that we're subjected to right now, the various hearings that we're having — I mean it just about doubled and tripled since I've been a Councilman of nine years.

So with that in mind, to have a video recording would also be, I think, helpful to the citizens that do not have the time at that particular moment to listen to what's happening within our government through some way can possibly get a replayback of a particular public hearing during that year or have it played over governmental channels at some time later on, any time; and it has to be said that there are many significant things that happen in our local grassroots government, that of the Council of the City of Pittsburgh, and it should be so recorded, and the costs are insignicant.

It's not to replace people that we already have, if that might be a thought that some people might have, that this would replace what is equivalent to a Clerk-Stenographer. That is not the case. I think that is an absolute and always should be an absolute, but I think it's about time now that we do get something on video and have it stored for present and future posterity.

Mr. Robinson:

Mr. President and members of Council, I have submitted similar legislation in the past, and my purpose then and my purpose now is to make sure that those public meetings and public sessions that we conduct are not only open to the public but that the records of those sessions are public records.

We're in a new era now, an electronic era that is impacting upon government; and just as we televise our sessions and we conduct those sessions as public sessions, it seems to me appropriate that any recordings of those sessions should also be public information and be not only available to members of Council but available to the general public.

I think it's a legal necessity that we keep these records. Certainly, the cost factor is not the most important factor. We're required to record our public sessions, and we have made provisions for that by hiring appropriate staff to do that.

I think that if we're going to continue to televise our Council sessions, our hearings or our post agendas, that all those tapes should be considered a part of the public record, and we should act accordingly.

I would hate to think that it would take any action within the court system to initiate on our part the necessary administrative procedures internally to make sure that our records are as accurate as possible and where appropriate we have back-up records.

So I would urge all members of Council to support this bill, not because of the political implications negative or positive, but because of the legal implications and because we have to make sure that all the procedures that we have in place are procedures that support the whole notion that our business is public business and that business should be recorded so that the public both present and future can review it. Thank you.

Michelle Madoff:

Just one quick statement. May I remind everybody that we're talking about a very little bit of money?

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Michelle Madoff	

AYES 3	NOES 6

VOTING NO:

Mr. Grabowski	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. Stone (Pres't)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Michelle Madoff:

Just a note for the record, I'm not at all surprised.

Also, with an affirmative recommendation,

Bill No. 1855

A Resolution entitled, "Resolution amending Resolution No. 166 approved March 12, 1984, effective March 16, 1984, entitled: 'Resolution providing for a Contract or Contracts for the furnishing and installing and/or reinstalling steel guardrails and facilities related thereto at various locations within the City of Pittsburgh, and other work incidental thereto, and providing for the payment of the cost thereof,' by providing for the use of existing Contracts."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9	NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Robinson presented

Bill No. 1899

Report of the Committee on Planning, Housing and Development for December 12, 1984 transmitting two ordinances and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1512

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 8, by changing from "RP" Planned Residential Unit Development District to "S" Special District the entire "RP" Planned-Residential Unit Development District located southwest of SAW MILL RUN BOULEVARD generally between WOODRUFF STREET and CRANE AVENUE, 19th & 20th Wards."

Which was read.

Also,

Bill No. 1601

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 6 by changing from "S" Special District to "R3" Multiple-Family Residence District all that certain property bounded by: HASLAGE AVENUE; Lot No. 346, Block 24-A in the Allegheny County Block and Lot System; Lot No. 376, Block 24-E in the aforesaid System; and Lot No. 353, Block 24-A in the aforesaid System, 24th Ward."

Which was read.

Also,

Bill No. 1865

A Resolution entitled, "Resolution providing for a Cooperation Agreement pursuant to Council Bill 573, Resolution 380 of 1984, with the Urban Redevelopment Authority of Pittsburgh to implement a program providing for employment opportunities for City residents." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Robinson:

Mr. President and members of Council, I'd like to offer an amendment to 1865, it's a word change in the amendment that was approved on Wednesday. I'd like to amend the word "pursuant" to read "subject."

Mr. Woods:

If I may, Bill, what's the reason? To me they're almost the same.

Mr. Robinson:

The original legislation authorizing this legislation is Council Bill 573 and Resolution 380. In putting the amendment together, the word "pursuant" was put in instead of the word "subject;" "subject" would mean that this Bill 865 must be consistent with the original legislation, and that's the standard language that is used in all of the bills.

Mr. Woods seconded the motion.

Which motion prevailed.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

Bill No. 1900

Report of the Committee on Parks and Recreation for December 12, 1984 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1821

A Resolution entitled, "Resolution providing for the establishment of an Imprest Fund for the Pittsburgh Zoo in the amount of $3,500.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1822

A Resolution entitled, "Resolution providing for a Lease or Leases and/or License Agreements for the use of certain property for Senior Citizen Center Facilities in an amount not to exceed $118,000.00, effective January 1, 1985."

Which was read.

Mr. Wagner:

I abstain on Bill No. 1822

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Woods
Michelle Madoff	Mr. Stone
Mrs. Masloff	(Pres't)
Mr. O'Malley	

AYES 8 NOES none

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1823

A Resolution entitled, "Resolution amending Resolution No. 691, effective August 21, 1984, entitled: 'Providing for an Agreement or Agreements with an independent contractor to provide professional services in connection with the Department of Parks and Recreation's programming, specifically the Great Race, and providing for the payment of the cost thereof,' by deleting 'specifically the Great Race'".

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Givens:

Could I have Maureen Gordon Jones come forward please? Maureen is substituting for Phyllis Irene Bennett who is the Director of the Food Stamp Job Search Program. Phyllis had an illness in the family that required her to be there.

Mr. Givens presents

Bill No. 1901 WHEREAS, the Food Stamp Job Search Program has been an effective local effort to provide unemployed food stamp recipients with the skills to seek and obtain gainful employment in our depressed local economy; and,

WHEREAS, the Food Stamp Job Search Program is a new initiative that has been operating since July, 1984 under a grant from the U.S. Department of Agriculture and administered by the Pennsylvania Department of Public Welfare; and,

WHEREAS, this valuable program has assisted needy residents of Pittsburgh with 54 job placements, 158 group workshop participants, 119 individual career counseling sessions, 313 referrals to job training programs, and 873 individual interviews in the short half-year that they have been operating; and,

WHEREAS, the local office employs 13 staff workers who have provided help to such diverse groups as Vietnam veterans, the handicapped, laid off steel workers, young professionals, the unskilled, and exoffenders; and,

WHEREAS, that as of January 3, 1985, the Food Stamp Job Search Program will be terminated despite the significant, positive impact that this new program has had on our local unemployed.

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh urges the Commonwealth of Pennsylvania to rescind the decisions to phase out the Food Stamp Job Search Program and enable this important agency to continue its valuable work to help relieve the serious unemployment problem in the City of Pittsburgh.

Mr. Givens moved to adopt the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. Givens:

Maureen, I want to thank you for coming on behalf of our other sponsor and if you would like to say a few words to the Councilpeople you are most welcome.

Maureen Gordon Jones:

I will say just a few words. On behalf of our office director and the rest of our staff, we genuinely appreciate your concern for our operation and we will continue, hopefully, with your help to the best of our ability to serve the Pittsburgh community.

Thank you once again for your support.

Michelle Madoff:

I would like to recognize Mary Winter as Woman of the Month. If Mary Winter would please join me.

Michelle Madoff presents

Bill No. 1902 WHEREAS, the role of women needs to be expanded in society; and

WHEREAS, the accomplishments and achievements, both professionaly and personally, of women in our society have largely been underrated; and

WHEREAS, Mary Winter, Chairman of the Board of Mom's House, working with People Concerned for the Unborn Child, the group which sponsored and is supporting Mom's House, led the efforts to promote this important service to school-age mothers and their children; and

WHEREAS, 96% of young single mothers who bear their children choose to keep them rather than placing them for adoption causing more than two-thirds of these young mothers to drop out of school, thus jeopardizing the economic and social futures of themselves and their children; and

WHEREAS, the needs of these young mothers have not been adequately addressed, especially in the area of preventing school dropouts; and

WHEREAS, Mom's House, Inc. of Pittsburgh is helping to break the cycle of welfare and poverty for young single mothers by providing free and loving day care services to infants and toddlers of these mothers, a comprehensive after-school program in life skills and

parenting and a unique support system; and

WHEREAS, these efforts have brought about an extraordinary response from citizens and groups in the form of donations, volunteers, food, furnishings and related items indicating great community interest in helping these women.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh hereby recognize Mary Winter as "Woman of the Month" for her efforts in organizing Mom's House, the first program of its kind in the Pittsburgh area offering a positive alternative to abortion.

Michelle Madoff moved to adopt the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. Givens:

I'd just like to indicate that I know Mary very personally. I've gone with her in the marches to Washington, D.C. for that of the unborn child. Last week we had another letter that was received here and I cannot agree with the philosophy of that person but on this occasion, Mary, I can wholeheartedly agree with your contention, what you're doing, not only for the unborn child but setting up Mom's House, that this Council has had appropriation and funding in this last year. Jack Wagner, I think more than anyone, brought to our attention what was happening in your area in the 19th Ward of the City of Pittsburgh.

I'm glad it did get off dead center and to indicate as you so marked in your resolution, Michelle, that 96 percent of all those who come into that house of the unwed mothers that want to have their children do have them and want to keep them. That's the beauty of motherhood, I think, and if people were properly counseled and if the young people and even young adults have somebody to turn to and that their family doesn't turn a deaf ear on them when they get into these catastrophies in their own lifetimes, I think this thing will go away. I think it's the conscience of most of the people in this country as well as the people that are in this Council right here, that none of us would want this to happen. But there has to be alternative solutions. This is one of the alternative solutions.

Thank you very much, Mary, from the bottom of my heart.

Mary Winter:

First of all, I'd just like to say that really the real heroines of Mom's House are not here today. Today is the day of the Christmas party at Mom's House and they're preparing a turkey dinner and having Santa Claus and so forth. They are the ones who really should be receiving this award.

But I just want to say that Mom's House is about second chances. It's a second chance for a young woman to complete her education, a second chance for her to get her life together, a second chance for her to be a responsible parent and a responsible citizen. I'm really grateful to all of you here, the Mayor, and to all the members of City Council for your sensitivity to the needs of young, single, low-income mothers. They really have a tough road to haul and the fact that all of you are consistently supporting our efforts to help them help themselves is really significant and much

appreciated.

So, on behalf of all of the mothers and staff and babies at Mom's House, I'd like to wish all of you the very happiest, healthiest, holiest of holidays to come.

Mr. Wagner:

Mary, I was hoping that maybe you could bring us up on the status of Mom's House in finding a permanent location.

Mary Winter:

We're still in the process of looking. At this time we're renting property at the United Presbyterian Church on Brookline Boulevard. We hope that by spring we'll be able to use the money that you've allocated to buy a permanent residence for Mom's House and when the second semester starts in January we'll be up to our full capacity and we've already started to take names for the waiting list.

What we really want to do is eventually put a Mom's House on the North Side and a Mom's House in Oakland for the young college women. So, we're thinking of this as only the first and I wouldn't be at all surprised if we're back again someday to say how about helping out a second or third or fourth Mom's House.

Thank you again for your generosity.

Michelle Madoff:

I might add that I would hope that when somebody like Mary takes on this momentous job you can't ask one person to address all issues. Really, the issue is education. I don't think we want to see 96 percent kind of figures for young women having illegitimate children and I think education is really what it's all about, birth control, the right to choose. My colleagues may disagree but you know I'm a feminist and with that in mind I would like to respectfully ask Linda if she would remind his eminence, the Mayor, that this Council requested a place in the building to hang the monthly awards, the Woman of the Month Awards that I have been issuing for the last year and Mary is in excellent company. I think it would be sort of exciting to young women coming through the building and other people to see a place and to see that women have made contributions, to get duplicates of the awards made and photos and have them hung, perhaps, in the lobby. Would you send that to the Mayor and a copy to the Mayor's Task Force on Women? Thank you.

Mr. Robinson:

Mr. President and members of Council, I'd like to offer Resolution 1072 for your consideration and could I have Mrs. Mary Jane Paige come forward. Mrs. Paige is one of the distinguished former school principals in our public school system and also very active in the Alpha Kappa Alpha Sorority and a former Great Lakes Regional Director. This resolution relates to the upcoming Great Lakes Conference and hopefully this Council will be honored by having this resolution appear in their program booklet.

Mr. Robinson presents

Bill No. 1903 WHEREAS, for nearly two centuries, the City of Pittsburgh has served as a center and focal point for organizations to meet, conduct business and contribute to the progress of our nation; and

WHEREAS, Alpha Kappa Alpha Sorority is the oldest Greek letter

organization established in America by Afro American College Women, founded 1908, and today has more than 75,000 members; and

WHEREAS, the Iota Chapter was chartered at the University of Pittsburgh in 1918 and active chapters at Chatham College, Carlow College, Carnegie-Mellon University, Duquesne University, California University of Pennsylvania, Indiana University of Pennsylvania and Edinboro University; and

WHEREAS, the outstanding traditions initiated by Alpha Kappa Alpha at its founding in 1908 at Howard University have included voter registration and education projects, human services projects, aid to higher education through scholarships to outstanding young women and men; and

WHEREAS, this tradition will be continued at the "Fifty-Fourth Great Lakes Regional Conference" in Pittsburgh, April 11th to 14th, 1985.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council on behalf of the citizens of Pittsburgh welcome the delegates to the Fifty-Fourth Great Lakes Regional Conference and offer our cooperation and assistance to the Host Chapters, Iota, Alpha Alpha Omega, Alpha Sigma and Kappa Beta and to the Co-Chairpersons Dr. Delphina B. Briscoe and Dr. Ogle B. Duff and all the sorors of Alpha Kappa Alpha as they begin "Energizing Power for the Twenty-First Century".

Mr. Robinson moved to adopt the resolution.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mrs. Paige:

To Mayor Caliguiri, to President Stone, and to the members of Council, I accept this resolution in place of our President, Delphine Briscoe. Thank you very much. Alpha Kappa Alpha has worked for the Pittsburgh community since 1918 and we are still continuing with our scholorships. I have a list here but we support NEED, the Urban League, we conduct tutorial services throughout the City with the various schools, we work with the Lemington Home for the Aged, with Job Corp, Urban League, the N.A.A.C.P., we have workshops for single parents and we provide funds and take children to various cultural events throughout the City. We are involved in helping with the African Heritage Room at the University of Pittsburgh and on numerous other things you will see the Alpha Kappa Alpha name.

Thank you very much.

Michelle Madoff:

Mr. Stone, some time ago, a few weeks back, you were asked to set up a meeting or we were to have a post agenda or a hearing, with reference to the North Side Project versus the Strip District or whether we're going to do both and you were to ask the Mayor to meet with Council. I realize there's been a lot going on with the budget and it's been somewhat of a problem. But I would very much appreciate getting that moving because the job situation in this community is at a crisis level. If we get something going we're going to get some jobs going and I know you can be a leader in this if you really get this thing off dead center. I would very much appreciate not letting it ride much further.

Would you address that and would you let us know as soon as possible

because many of us are having problems with our schedules?

May I ask Linda before I continue, Linda, was my resolution introduced today to change the budget hearings?

Mrs. Johnson:

Yes.

Michelle Madoff:

I was not here. Was the media aware of that and is Council aware of it? It was just read into the Record; perhaps we can get some copies.

A number of members of Council have been discussing the situation that occurs every year. Sometimes its a crisis, like the Water Authority. One year it was the Galbreath situation on the Pirates, then it was Warner. There's always something happening that's a crisis. Then there's the election crisis. And we start the budget the day after the election. By the time we get to voting, nobody really gives a darn. The media said it's boring. It's numbers that go on and on and on.

I am recommending and I've talked to some of my colleagues who are supportive, I've talked to our fiscal people, that we change our year from a calendar year to a fiscal year on the budget, running until, as Mike suggested, perhaps July 1 as the closing date. This is a very good time to do it because as Mr. Stone has said, the budget works on a two year cycle. It's not anticipated according to the Mayor of any increase next year so it's the right time to make the change. We are not fair to the public, we are not giving adequate attention to what has to be done, and it would make it a lot easier that we don't work under the great pressure of the holidays to really address the budget in a more realistic, more relaxed manner.

I would urge my Councilmembers to think about this. I'm not married to the words in the resolution. If any of you would care to add your names in support, please feel free to do it or even make it your own bill; I don't care. But I think it's important that we change the day.

Mr. Givens:

Can I make this in the form of a motion or a letter to the Law Department to see if there's anything that would prevent us —

Michelle Madoff:

Certainly. That's a good idea. We should have that when the resolution comes out.

Mr. Givens:

If there's no reason why we can't, I'd have to agree with you. The holiday season is always marred in the political process of this political government and it seems to go right until the very end of the year. I think just knowing that it takes until the end of the year for us to know the total amount of monies that we receive in for that particular year that logic would so indicate that that would be a good time to do it and that would be in the fiscal year. If that can possibly be done, I think it would lend to a lot smoother government.

Michelle Madoff:

I think we need Mr. Stone's help as to when the date would be, whether it would be June or July.

The Chair:

I'm guessing but I think you need a Charter change.

Mr. Woods:

Right. I believe it's in the Charter. We'd have to have an amendment to the —

Michelle Madoff:

I'm sorry; I overlooked. That's my fault. What is being recommended is that, I believe the bills says that we put a motion on the ballot as soon as possible as a referendum vote to amend the Charter to do it on a fiscal year instead of on a calendar year because we would then be able to give better attention to the public's business. I'm sorry, I forgot that. It is in the resolution, is it not, Linda? If it isn't, make sure it is, but I think it was.

I have two other items. Recently I was involved as a panelist on a solar panel with reference to developing solar energy as an alternative fuel. Many of you may or may not remember that I probably got elected to this Council with 133 votes because I was making the news in having had some recognition in the environmental days with my efforts on behalf of developing the first total energy conservation house in Allegheny County, the Bernhardt Realty in the North Hills. Some 25,000 people went to that house and it's still operating. The reason it was done at that time was that the gas company had said no more natural gas, they were putting in propane, assuming we'd have to go to electric and go to a heat pump.

At this solar panel that I was a member of and the Governor's Energy Commission was present, it was pointed out that one of the things that we are doing as part of an on-going program, which is insulating houses and making homes weatherproof for senior citizen indigents, that where we don't do this we are subsidizing utility rates. There's a little blurb in the paper, help with heating bills; low income people wanting to take part in the state's Home Energy Assistance Program should file their applications before the end of the year, State Minority Leader, Edward M. Zaprelli, Democrat, etc. The Department of Welfare will stop accepting applications at the end of this month or in early January.

What was pointed out which I think is very pertinent, why subsidize Duquesne Light? Why don't we take the same money that we would use as a subsidy and make the house energy-efficient, the same money, to cut down on having to subsidize the energy bill? If you don't have a roof that's tight, if you have walls that are leaking with big cracks, and windows that are in horrendous shape, what we really need is that kind of legislation. Also, anyone getting subsidies must be willing to have an energy audit which is free. If need be, if it's a five or ten dollar bill, that would be part of the monies that would come out of the subsidies.

So, I would like to see some kind of legislation introduced. My feeling is that we need to check to see whether it would be a state kind of legislation. When we get our own legal counsel for this esteemed body, I would have that person look into whether we need to go statewide or whether we could supersede the state or whether we would fit into the program and how we would go about getting our part-time lobbyist — who should be full-time — working on this issue. But it just seems to me that when we're asked to donate a dollar to help someone pay their utility bill, what we're really doing is subsidizing Duquesne Light as opposed to putting that dollar into insulating someone's home and cutting down the energy bills. I don't think logic would dictate against that.

I have another item. Some time ago in this Council, I think on two occasions, I have raised the issue of tarpaulined vehicles, trucks. I am really ticked off; I've had damage to my car traveling behind an untarpaulined truck that has dropped a piece of metal, dropped a boulder, a board, and wrecked the underside of my car and there's no way I can avoid it if I'm in the center lane with cars going on both sides of me. I'm very, very concerned about this. We just spent all that money cleaning up the Parkway, doing some work, and it's a pigsty again. You see dropcloths, you see boards, you see things that have fallen off, newspapers, and the taxpayers of this community are paying for that cleanup.

I want to see that bill, state ordinance, which says that all trucks must be tarpaulined — you certainly see it in other cities — enforced in this community. I don't know how we go about enforcing that but, Linda, would you also send a note to Dan Pellegrini asking him what we have to do? My memory says that we asked the Police Department to come before this Council and to encourage police officers to give citations. It would not be very difficult for perhaps the State Police, the Meter Maids or Policemen when they're out and the see a truck that doesn't have a tarpaulin to just jot down that license number. And private citizens are to be encouraged to do the same and call my office because I will follow through on it.

My last item is the toxic fear shuts road on North Side for four hours. We're going to really have to address the issue of toxic waste being left at curbside. Can you imagine if our garbage collectors, our refuse department, picked up these bags which did have low levels of radiation? We don't know what the contaminents were from disease. We don't know how they got where they did on the North Side. And I think this is the kind of issue that a safety director is going to have to address which probably leads to the next issue that's going to come before this Council.

My information —

The Chair:

Michelle, hold on a minute. You said you had three and I'm up to five.

Michelle Madoff:

Well, four. You can always have one more.

The Chair:

It's not that. You say three and I hold back —

Michelle Madoff:

I'm almost through.

We are going to obviously be hearing from the Police Department on Tuesday. I think we could avoid a lot of difficulty and a lot of problems if this Council would encourage the Mayor to withdraw the name of Mr. Glenn Cannon. I think Mr. Cannon is an excellent person; I personally recommended and told him personally in Council what a credible job he's doing. But the morale of the Fire and Police Departments is such that having a safety director and having what is needed for this community may be held up because of the appointment of a name. And just the Mayor saying, "Well, we'll take them as two separate issues; we'll take the safety issue under one umbrella and then we'll deal with the name of the person who puts the onus of our rejecting his name on us and therefore nothing is going to happen.

I believe that it is incumbent upon this Council to encourage the Mayor to withdraw any names and have a search committee go out and find someone that would be acceptable to the Fire and Police Department that would not destroy the morale. Thank you.

Mr. Robinson:

Mr. President and members of Council, I have three items that I would like to go over. The first relates to the untimely and unfortuante death of one of our firefighters, Mr. Anthony Lundy. I'm sure that his family, along with the City, has experienced a very great loss and I would just like to have each member of Council stand and for us to have a moment of silence for Firefighter Anthony Lundy and also to say a small prayer for his wife and two children.

The Chair:

Would you all kindly rise please for a moment of silent prayer?

Mr. Robinson:

The other item, Mr. President and members of Council, relates to the issue of South Africa. As Council is aware, we are presently considering four pieces of legislation that deal very specifically with South Africa and raising the question of what type of relationship, if any, the City of Pittsburgh should have with individual firms doing business in South Africa.

As this Council is aware, we are also in our City constantly having demonstrations conducted concerning the sale of South African products in our City, demonstrations against those sales. The main target of those demonstrations has been the gold Krugerrand which is one of the main coins of the Republic of South Africa which is sold in our City, which is handled by our major banks and some of our department stores.

On Saturday, unfortunately, some of the people who were peacefully demonstrating in front of one of our Downtown businesses had an altercation with our Police Department. All the facts have not been presented yet and a full review has not been conducted, but I would like to thank Mayor Caliguiri and Superintendent Coll for their very speedy and very expeditious attention to this matter. The Mayor has indicated at a meeting that I attended on Sunday that he would do everything he could to make sure that the resources of the City were utilized in such a fashion that people who want to peacefully and lawfully demonstrate in our City will be able to do that with the protection of our Police Department and that the City will conduct an investigation to determine what exactly occurred, who was involved, and where there are persons to be held accountable the Mayor has assured myself that there will be appropriate punishment or appropriate reprimand.

I think it is important for us to support the Mayor in his effort so that we can assure everybody in this City and everyone who visits this City that our Police Department has one purpose and that purpose is to maintain the peace in our City. I certainly would hope that no one would make any accusations, either concerning the demonstrators or the police, until Superintendent Coll has had an opportunity to conduct his internal investigation and until the Mayor's Office has had an opportunity to review all the documents involved. Several people, about 35, were arrested and have charges placed against them at this point. Those charges will be disposed of as I understand it at a hearing, 1 p.m., on December 26th by our local City

Magistrates.

Also, I think it might be appropriate for this Council to have a letter sent to the Chairperson of our Human Relations Commission asking them if they would contact Superintendent Coll to offer the assistance of their mediation unit so that future incidents perhaps can be avoided and so that also they can help to keep this situation from being drawn out of proportion.

I think that given the kind of discussions that we're having about re-organizing our Police and Fire Departments and the whole issue of public safety, we need to be very mindful that there may be those people who will unwittingly exploit that situation and certainly we don't want to have any aspersions cast upon our Police Department which I think is a fine Police Department. We want to make sure that all procedures that are supposed to be followed are being followed and if there are individuals who have not engaged in proper conduct that the appropriate people in City government bring them to task and that we reassure our citizens that the elected officials in this community certainly are going to make sure that the laws apply to everyone.

My third item relates to a budget matter. I just want to ask members of Council for their support for the tax package that I presented which basically is an attempt to reduce taxes in the City of Pittsburgh. That package is being presented on the premise that if we reduce particularly our business taxes we can stimulate economic growth in the City and ultimately increase our revenues. These bills will be considered by Council in the next few days; I do plan to present to each member of Council some additional information which will show you that while I have indicated that my tax package would remove $9 million initially from our budget that just about all of that money can be replaced either by anticipated revenues from increased business activity or increased collections of present taxes. When I present that material I think that a case can be made, that we can lower taxes in 1985 in the business area and not lose any significant revenue.

I don't want to get into a full-blown discussion now but I did think it was appropriate to raise this issue inasmuch as the Administration has suggested that the only way to offset what I would like to do would be to raise real estate taxes or to raise income taxes. I'm prepared to show the Administration that that's not true, that if you follow my tax plan you don't have to increase real estate taxes and you don't have to increase any income taxes.

But again I would like Councilmembers to take serious the bills that I have presented and to take serious the notion that we can afford in 1985 to reduce taxes after having run $14 million surpluses the last four years and there's an anticipated surplus in 1985 of roughly $14 million.

Also I would like to have included in the Record letters of support concerning the reduction of the Amusement Tax that I have been receiving. These are copies that I have forwarded to members of Council. Members have received other copies that were directed to them but these letters were sent directly to me and I have made them available to members of Council.

(LETTERS REQUESTED BY MR. ROBINSON CONCERNING AMUSEMENT TAX)

Pittsburgh Opera
Tito Capobianco, General Director

December 10, 1984

Dear Councilman Robinson:

This letter offers my full endorsement to your bill to reduce the City of Pittsburgh's amusement tax from 10% to 5% for non-profit organizations. When I arrived in Pittsburgh in July, 1983, I was shocked to learn that the Pittsburgh Opera's efforts to enrich our City's quality of life are severely taxed. No other opera company in the country still pays this tax.

My goal as general director is to build an opera company of excellence and vitality, a company that will establish opera as one of the cultural trademarks of Pittsburgh, through first-class artists and outstanding productions. The achievement of this goal is possible only with the full support of our community, including the administration of the City of Pittsburgh.

Opera is the most expensive of the performing arts, as it is a combination of music, dance, theater and visual art. To build an opera company of which Pittsburgh can be proud costs more than our box office revenue can produce. Our ticket income covers only 30% of the total costs of each production. The City's amusement tax places a severe strain on our already burdened development department.

The reduction of the amusement tax will not be a loss of revenue for the City of Pittsburgh. On the contrary, the City's support for its cultural organizations will breed new life, bring new revenue to businesses, and revitalize downtown. We are proud to be a part of Pittsburgh's Renaissance, and through our mutual efforts, we will insure Pittsburgh's bright future.

Sincerely,
Tito Capobianco
General Director
TC/clk

Image Innovators
203 Bittner Building
26th & Smallman Street
Pittsburgh, PA 15222

December 7, 1984

Dear Mr. Robinson:

I wish to endorse your proposal before Council, requesting a reduction in the City amusement tax from 10% to 5%.

As a City resident, I feel it essential that we support the growth and success of our City's non-profit performing arts groups which have been hindered so severely by our 10% amusement tax. The price of tickets to these groups, as we all know, doesn't come close to covering the full cost of the production for which they are issued. Because such groups must price their admission costs according to fair value, as opposed to cost demand, they are regularly forced to seek financial support from our corporations and foundations. These benefactors, however, often reward the non-profit groups by assessing the number of tickets sold, subscriptions, etc. A lower amusement tax will increase attendance and, thus, we hope, the financial support these groups deserve and need.

I might add that it is critical to the success of downtown's restaurants and retail stores that we encourage attendance to events at Heinz Hall, Three Rivers Stadium, Civic Arena and what few movie houses still exist. The economist impact of the arts and entertainment, as I'm sure you know, is

more than just considerable. With the development of the Stanley in full swing, it is imperative that we act now to foster support for all who benefit, culturally and financially, from our theatres, arena, and stadium.

I thank you for sponsoring this bill and give you my support.

Sincerely,
C. Prentiss
Orr

Pittsburgh Dance Council
600 Penn Avenue
Pittsburgh, PA 15222

December 12, 1984

Dear Councilman Robinson:

I am writing on behalf of the Pittsburgh Dance Council in support of your proposal to reduce the City of Pittsburgh Amusement Tax by one-half.

Over the past three years, the Pittsburgh Dance Council has collected for the City nearly $25,000 in revenues from our ticket sales. This is really not a finder's fee as the City claims, but it is a tax on our organization for selling tickets.

We must pay for the costs of advertising, promotion, printing and personnel, not to mention dance company fees and performance costs from the revenue generated by ticket sales. It seems we are being severely penalized by the City for selling tickets to our events to be self-supporting. It does not seem equitable for the City to share in our earned income when the City has done little or nothing to support our organization financially or to help defray the costs described above.

This year we project an additional $9,000 in amusement tax will be collected by the Dance Council and paid out to the City. This is a loss of $9,000 worth of critical revenue to us.

As an established and respected component of the performing arts community in Pittsburgh, The Pittsburgh Dance Council respectfully requests the adoption of your proposal to reduce the City amusement tax by one-half as soon as possible.

Sincerely,
Margeaux Singleton
Executive Director
MS/kb

Executive Planning Services, Inc.
Suite 2020
710 Fifth Avenue
Pittsburgh, PA 15219

December 13, 1984

Dear Mr. Robinson:

As a board member of the Civic Light Opera, I wish to thank you for your efforts to reduce the Pittsburgh Amusement Tax by half. This action would provide a needed positive statement about the City's feelings for the continued and sustained growth of the downtown area.

Again many thanks for your efforts in this area.

Sincerely,
John E. Payne, Jr., CLU
Vice President/Treasurer
JEP/ras

Howard J. Roughen
609 Berkshire Drive
Pittsburgh, PA 15215

December 13, 1984

Dear Councilman Robinson:

Your efforts to eliminate the Pittsburgh Amusement Tax are to be commended at a time when the City is competing nationwide for new businesses, and trying to retain those already here. Our array of leisure-time options help that promotion.

It is manifestly counterproductive to surcharge those activities that not only improve the quality of life in Pittsburgh, but depend on contributions for many of the art forms to exist.

Very truly yours,
Howard J. Roughen
HJR/kg

Sauereisen Cements Company
RIDC Industrial Park
Pittsburgh, PA 15238

December 12, 1984

Dear Mr. Robinson,

It is my understanding that you are making an effort to reduce the Pittsburgh Amusement Tax by half and that this reduction of taxation would save the Civic Light Opera a considerable amount of money each year.

I have long been an enthusiastic audience of and supporter of the Civic Light Opera in Pittsburgh. These savings certainly could and would encourage further expansion of the CLO's efforts and thus draw more revenue to the City.

Please continue your efforts to have the amusement tax reduced for non-profit organizations and hopefully eliminated completely.

Sincerely,
Phil F. Sauereisen

(END OF LETTERS REQUESTED BY MR. ROBINSON)

Mr. Givens:

If I might, Mr. President, Friday a situation happened within the Council budget session that I think has to be corrected and some dialogue transpired.

Since this new 1985 budget has come out, the Mayor has been very controversial on the Controller. The Controller has sent out reports that have been very controversial on the Administration. I feel, however, that this Council must rise above anything that's going on between two other branches of government and how those particular branches are trying to influence this particular branch.

If I might, I'd just like to read a legal opinion dated November 21, 1984 from our Solicitor that brings my point to bear about the separation of powers between the Executive, the Mayor, the Controller, and the Council of the City of Pittsburgh. I'll just read little excerpts from this legal opinion.

In forbidding one branch of government from allowing its powers to be exercised by another branch, meaning that of the three branches of government that I just so indicated, frequently over the years the U.S. Supreme Court has recognized the continuing validity of a doctrine of separation of powers, and they mention a case here, one branch of government cannot encroach on a domain of another without danger. I emphasize that point, without danger. The safety of our institutions depends in no small degree on a strict observance of this solitary role.

They cite some sections here and to get around that I'll read that the courts noted that the purpose of the doctrine is to safeguard the independence of each branch of government and to protect it from the domination and the interference of others.

I think we have an impasse coming about us on this Controller's budget that scares me just a little bit. That separation of powers that I just mentioned to you is something that this Council ought to be very careful because I feel that we are the balancing powers, we are the only body that can tax our people, we are the only body that can pass any ordinances or resolutions.

Because of that, Friday, the Controller was to be on the agenda, I asked him specifically because last Thursday or whatever day he appeared the meeting was cancelled at 4:30, actually it went on to 4:45 because our stenographer, we only had one, and she was working eight hours that day and I imagine her hands were quite cramped.

I had four basic and very serious questions to ask the Controller; they were never asked. The last speaker at that meeting was Jack Wagner. The Controller was interrupted during his delivery on trying to indicate why he wanted those various changes. We went down line item by line item, no problem, and he tried to open up that particular session by an opening remark to clarify in my judgment why he was making these major changes. He never had an opportunity to really bring that about. If we read the Saturday newspapers, some of that was discussed in the newspapers. However, that was not discussed before this body and it was not recorded by this body.

So, I feel that meeting, and getting back to last Friday, at 11:00 the Controller was supposed to be on. Looking around the room I did not see him, although apparently he did come in and departed and I must have missed him. Not seeing him there at 11:30, I approached the Finance Chair and said that I would like to cancel out on my proportion because I had a previous commitment and I did not see the Controller in all honesty. However, right before my departure the Controller came up ensuing in a discussion between our Finance Chair and the Controller which ended up in his office. We left that office at least with this Councilman's understanding that we would continue on with that meeting. I asked the Finance Chair present here today if that will be continued so certain subject matters can still be brought up in the continuance with this government functioning, this Council functioning in its proper position, that we received the budget, it is our budget right now, it's in our ballpark. There is one department that has not been completely gone through yet and I asked the Finance Chair publicly if that meeting will continue. Regardless of what has transpired before, Councilman Woods, this Councilman feels that we should continue on if there's questions to be asked and there's dialogue that has not transpired apparently between the Controller's Office and that of the Finance Chair of the City of Pittsburgh be it all the Councilpeople that attend those meetings.

You have a decision and I'll ask for your decision on this. When we left Friday it was the intent that we'd have it sometime this week. Looking at the Saturday's newspaper I can see why you wouldn't want to have a continuing meeting. However, that is newspapers. I think this Council has a responsibility to continue on with the Controller until all of us have asked our particular questions

and received the information we need in order to make an intelligent decision on how we're to vote this coming Friday on the preliminary vote.

Mr. Woods:

I respect your opinion and I respect you very much as a friend and a colleague but the budget hearings are closed. They were closed on Friday and we will vote on Thursday.

Mr. Givens:

Well then I make my appeal to the President of Council. I feel that the meeting on Friday was terminated because of the stenographer having worked eight hours that day with the intention, with the direct intention that it would continue on. On this Friday he was to come up again and again he was not heard, for whatever reason he was not heard, nor did I have an opportunity to address him because —

The Chair:

Dick, hold on. He's made a decision; if you want to challenge that let's make the motion and get on with it.

Mr. Givens:

I don't know if it should be a motion. I'm not trying to put anybody on the spot here, Mr. President. I think we have a format in this Council and I'd like to follow that format. If the Finance Chair feels that its finished, I think you are the President of this Council and you must decide whether or not with what I just indicated here today, the seriousness of what I've indicated here today, if you should, as President of this Council, continue on with this public hearing. We're talking about possibly 30 minutes more of discussion and I think until that is heard, this Council has not fulfilled its obligation to hear all departments.

The Chair:

Right now he has indicated, since that's his department, what he has done. Unless there's challenge, it's going to stay. You can't ask me to veto him without everybody here voting on it.

Michelle Madoff:

We have a right by two-thirds vote of this Council to change things. I think that's what you're saying, isn't that right, Mr. Stone? Then I would support Mr. Givens and I hope you will second my motion that we put it to a vote that we reopen the meetings with reference to giving the Controller time to have his say. I would not want to in any way give the impression with the public that we stifle anyone or that we get involved in political fighting and take sides but let everybody have their day before this Council and I would make that as a motion and if the motion fails then I'll call for a post agenda tomorrow, which I am fully authorized to do, to let the Controller have his say and go through some of the issues on the budget. I make that as a motion.

Mr. Givens:

Michelle, I appreciate your motion and everything but I feel that this is something that should be addressed possibly in Council's conference room. I do not feel that it should go to a vote. This is ongoing business within Council and the Council budget hearing is not complete and I feel that this should be carried on until its fulfilled. If an individual left out of here on Wednesday or Thursday of last week saying that this meeting would continue and he's been denied due process, then I think we are in violation of the Home Rule Charter. That's why I addressed you, Mr.

President, because I think the ball stops in your court. If you want to discuss this openly, if you want to put it to a vote, that is your prerogative. I'd rather do this in closed session because of the seriousness of the implications that we're getting into right here and I don't think it should go to a vote on the floor. I think you have to exercise certain prerogatives of your office.

Mr. Woods:

Mr. President, if I may. I'm the Chairman of that meeting; I made a decision. We don't have to do it in closed rooms because it's not going to change back there either. I've made my decision and I've made it in public. The Council hearings are over.

Michelle Madoff:

I made a motion to override the decision of the Finance Chairman. I would ask that I have a second for the purpose of voting to keep an open record on this Council that we have not stifled anyone, kept anyone because there's a dichotomy between the Administration and the Controller's Office, that we play sides or favorites, that we continue, we can limit the time to an hour, to hear from the Controller's Office, and I make that as a motion. Does someone care to second it?

Mr. Woods:

I just want to make one remark. If we permit this then we have to permit it again on the other side and then again on the other side. I'm trying to make some sense out of this thing and I hope everybody understands it because then the other people come in and say, "Wait a minute, I have to answer that; I have something else to say on my budget." And that's what we're going to keep doing and doing and doing. Believe me; I am right.

Michelle Madoff:

I need to respond to that.

Mr. Woods:

It's not political.

Michelle Madoff:

I'm sorry, it is political, Mr. Woods. I think that we should not make it political; it should be put to a vote of this Council. By a two-thirds vote we can override you; if it fails, it fails but at least I've made an attempt to keep this open.

The media reported that you and Mr. Flaherty had — I was not present — had some harsh words. It would appear to the public that you're deliberately gagging him. I don't think that's what you want either; I don't think you want that impression. I think you're very tired, as well you should be. I think you're a little cantankerous at this point because you're tired but I think that I have the right to call for that vote. I think that you are doing yourself irreparable harm and with reference to you comment about, "Well, if you do it for the Controller then someone else can say let's open up the meeting", I don't think that's even the issue. The items were never discussed so it's not someone saying we want to open up the same subject matter.

I think we're hurting this Council's image; I think we're starting to get a better image with the public so let's not change it by really putting a black mark on the first amendment by not letting people speak.

The Chair:

Michelle, if I may for a moment. Having served in that capacity, I think he's right on one portion of it. If we're going to open up the whole thing and start from scratch —

Michelle Madoff:

We're not; only for the Cotnroller and I said for one hour.

The Chair:

I listened to you now you'll listen to me.

When you open up the whole thing all over again and we're going to start dealing with a multitude of things that somebody forgot, that's tough. If you're saying that the thing did not end, and that seems to be an issue here that I can't answer because I wasn't there at that particular moment. Correct me if I'm wrong on this. The only one that called him back, he was done, Mr. Givens said he had a few more things that he would like to talk about. It's my understanding, in fairness to the Finance Chairman, there were no other reservations. It's also my understanding on the appointed time for questions by Mr. Givens, Mr. Givens said he didn't want to ask the questions. Therefore, the Finance Chairman takes it that it's over. If I'm incorrect, that's at least as I understood it to be and that's without taking anybody's side.

Mr. Givens:

Maybe Jack Wagner was there or whoever was there at that last meeting that we had with the Controller and the Chairman of Finance indicated that I have to terminate this meeting at 4:30 because the young lady had been working all that time. I agreed to that saying that I had four major areas of concern that I had to ask the Controller in public. I'll express what those four major areas were.

The Chair:

Wait, wait; let's not go into that. We're not going to hold te hearing here now.

Mr. Givens:

I think I should express them right now so you know the reason —

The Chair:

Wait, Dick.

Mr. Woods:

Point of order, Mr. Chairman. There's a motion on the floor; we can't discuss anything else — and I was wrong too — until there's a second or the motion dies.

Mr. Givens:

Let's get something straight. We're talking about what the situation was the day the Controller came before us. That meeting was adjourned, not because we were finished with the business of the Controller, and I'll ask the Finance Chairman why he terminated that meeting. Ben, why did you terminate that meeting the day the Controller was here?

Michelle Madoff:

Because of the stenotypist. He just said so.

The Chair:

I don't have a second —

Mr. Givens:

Hold it. I asked him a direct question. Why did we terminate?

Mr. Woods:

Exactly what you said.

Mr. Givens:

Right. And probably the only people who were left there, I don't know, there were probably only four or five Councilpeople left, I believe, at the end of that meeting, sorry to say but that was the case and I think Jack Wagner was there, I know I was there, even though we said 4:30 and Jack's questions ensued us to go on to 4:45. So, in all fairness to the person, I said I would hold mine until the following day. I guess that was Friday. That Friday things did not work out that way. However, that's not to mean that one Councilman, that I had the only questions. No. I had questions aligned with the Controller's department when it came up. My intentions, and I have to agree with the Finance Chair, that it's not opened up to the whole City. We went through department by department by department and everyone is finished but one, and that's the Controller's Office. That meeting was terminated and we haven't had it back again. I just ask for that meeting and Michelle, I feel your motion is out of order. I think the Controller's business is still not finished with the City and we should go on with that. If the Finance Chair feels that it is then I feel he is wrong. I opened my whole pretext, my argument on this matter is what I just indicated in that legal opinion and I ask this Council — I'm not pointing fingers at anybody — I'm asking this Council to be fair with all segments of government within the City of Pittsburgh. It's in our ballpark right now. I ask the Finance Chair to reconsider, that this is only going to be probably a 30 minute dialogue and we will have done what we were supposed to, and that's review everyone and not deny anyone this opportunity to speak before this Council body. I have questions and they're very serious questions; they're very serious questions that have been raised by the Mayor's Office. The Mayor did raise those considerations. I want to hear from the Controller, his response to those accusations and to some of the suggestions that he has in their prior to this Council going in and making a preliminary vote this coming Friday because what both sides have to say will have a great bearing on this Councilman as to how I vote.

The Chair:

As I indicated here, the Finance Chairman was asked whether or not he would change it and he indicated no. I want to restrict something so we understand it; if there's some unfinished matter then my personal belief is that unfinished matters should be handled. If it came to an end, that's your decision. But he's made that decision and I have a motion with no second —

Michelle Madoff:

Wait a minute. You haven't called for a second.

Mr. Wagner:

Mr. President and members of Council, there's an obvious difference of opinion here between two individuals, our Finance Chairman and the Controller of the City of Pittsburgh based on the request of one of our colleagues to ask the Controller several additional questions pertaining to the budget. I think if we put it to a vote we're just further dividing this whole situation and I

don't think it's necessary to put it to a vote. I think we can accomplish the goal which needs to be accomplished which is for one of our colleagues to further question the Controller by simply calling a post agenda for Wednesday following our Finance Meeting and publicly continuing on the issues that Mr. Givens would like to discuss. I think it's the easiest way to resolve the matter.

Michelle Madoff:

Mr. Stone, since it's my motion —

The Chair:

Hold on one second.

Mr. Woods:

Along with this, that's exactly what happened. We were running very, very late on Friday; the Controller came up, he was waiting, I talked to him and I said, "Tom, there's no sense in you waiting after all this time. Why don't you go down the office and when I see it's about fifteen minutes to you I'll make sure you are called and you can come up here and we'll go on with business." He said, "Fine." Mr. Givens came up to me and said, "Listen, Ben, we're running very very late. Cancel the Controller; I can do it in a post agenda. There's just four items tha I have and I can handle it in a post agenda." I said, "Thanks, Dick.", and that's exactly what happened and that's how I made my decision and my decision stands.

The Chair:

Mr. Givens, is that correct?

Mr. Givens:

That's correct. Ben said, "Could you do this in a post agenda." and I said that I see no problems because a post agenda —

The Chair:

Alright. There being a lack of a second, Michelle's motion fails. Mr. Givens called it as a post and let's get it resolved that way.

Michelle Madoff:

May I make a comment? I called for a post if we weren't going to put it to a vote. May I also call for two things; one, if there's no objections, I'd like to hear from the Controller who is here now as to his feelings because I am disturbed that we are on camera and people are listening to what Mr. Woods has just said. He admitted that the reason we cancelled the meeting was because the stenotypist's fingers were tired and it was running late in the day.

The Chair:

In fairness, Michelle, it's my understanding what he just said is the key issue and Mr. Givens admits that. Mr. Givens didn't want to continue it then and said he'll pick it up as a post. We'll pick it up as a post and that's what everybody agreed to.

Michelle Madoff:

If we pick it up as a post, can we have that post televised? Post agendas are not televised. It's a budget post agenda; will it be televised? May I put that to a vote of two-thirds of this Council, that we televise the post agenda which is normally not done because it is a budget matter? That is my motion; do I have a second to televise the post agenda?

The Chair:

There being no second, the motion

fails.

Mr. Woods moved to approve the Minutes of Monday, November 19, 1984 and Monday, November 26, 1984.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Woods moved to adjourn this meeting and meet again Monday, December 24, 1984 at 10:00 a.m.

And on the motion of **Mr. Woods**

Council adjourned.

Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXVIII **Monday, December 24, 1984** **No. 50**

Municipal Record

ONE-HUNDRED TWENTY-THIRD COUNCIL

ROBERT RADE STONE President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON ... Asst. City Clerk

Pittsburgh, PA
Monday, December 24, 1984

PRESENT:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

ABSENT:

Mr. O'Malley

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Robinson presented

No. 1904 Resolution authorizing and directing the City Controller to conduct a fiscal and performance audit of the Urban Redevelopment Authority of the City of Pittsburgh, during the calendar year 1985, pursuant to Section 404(c) of the Home Rule Charter. — **(SPONSORED BY MR. ROBINSON)**

Which was read and referred to the Committee on Finance.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Mr. Woods presented

No. 1905 Resolution authorizing the Mayor to issue and the City Controller to countersign a duplicate warrant to William & Eljean Kovacs, in the amount of $577.88, to replace warrant which was lost, stolen or inadvertently destroyed.

Which was read and referred to the Committee on Finance.

Mr. Woods moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill

was introduced so the bill will be on the agenda this Wednesday.

Mr. Wagner seconded the motion.

Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 1906

Report of the Committee on Finance for December 19, 1984 transmitting sundry resolutions and two ordinances to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1825

A Resolution entitled, "Resolution creating a Special Trust Fund for the planning and implementation of the Economic Development Commission, City of Pittsburgh to be designated as the 'Economic Development Trust Fund.'" **—(SPONSORED BY MR. ROBINSON)**

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff	Mr. Wagner
Mrs. Masloff	Mr. Woods
Mr. Robinson	Mr. Stone (Pres't)

AYES 6 NOES 2

(MR. GIVENS AND MR. GRABOWSKI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1827

A Resolution entitled, "Resolution creating a Special Trust Fund for the implementation of a Community Services Program to fund Community Based Human Services which shall be designated as the 'Community Services Trust Fund.'" **—(SPONSORED BY MR. ROBINSON)**

Which was read.

Mr. Grabowski:

I vote aye with the exception of 1825 and 1827. Those two deal with the creation of the Economic Development Trust Fund and the Community Services Trust Fund and this Council has yet to decide if in fact we're going to create an Economic Development Commission and if we're going to provide programs from this for community services purposes and as I stated Wednesday I feel it's premature to create these trust funds unless we're certain that we're going to go ahead with their intended purposes and furthermore, even if we do decide to spend money for these purposes we can always do it out of the general fund and there's really not a need for a special trust fund.

Michelle Madoff:

Mr. Stone, question. If we vote on it now, will we have any input after this date as to where it's to be spent?

The Chair:

If it doesn't pass it won't be worth anything.

Michelle Madoff:

But if it passes? Does that involve the Community Development Programs like the North Shore and the Strip District? Will they be covered in that or are these strictly the contributions to groups?

The Chair:

As I see it so far, it's kind of generic, it's general.

Michelle Madoff:

We still have to approve all expenses and where they come from. Are we still going to have that meeting with the Mayor that you were supposed to set up?

The Chair:

That's what I assume.

Michelle Madoff:

I'll vote aye.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. Robinson	(Pres't)

AYES 5 NOES 3

(MR. GIVENS, MR. GRABOWSKI AND MR. WAGNER VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1830

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of R. & W. Electric Company in the amount of $265.00, in payment of Extra Work being in addition to the original contract price of $29,000.00 on Controller's Contract No. 26854 and a warrant in favor of Chatham 90, Incorporated in the amount of $50,984.00, in payment for Extra Work, being in addition to the original contract price of $235,226.00 on Controller's Contract No. 26851, furnished for the benefit of the City in connection with the Renovation of Fire Station No. 17; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1856

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the Perkin-Elmer Corporation, Citibank, Del., P.O. Box 7247-9000, Philadelphia, Pennsylvania, 9170-9000, in the amount of $659.50 in payment for

repair of an Atomic Absorption Spectrophotometer furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 1858

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Air & Power Service Company, 103 Shanahan Road, Butler, Pennsylvania 16001, in the amount of $1,962.76, in payment for services furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1859

A Resolution entitled, "Resolution transferring $12,912.44 from Bureau of Building Inspection, Department of Fire, Code Account No. 1478, Equipment to Code Account No. 1476, Miscellaneous Services."

Which was read.

Also,

Bill No. 1866

A Resolution entitled, "Resolution requiring all and any audits, reports, studies and similar evaluations to be filed upon completion with the City Clerk, City of Pittsburgh. **(SPONSORED BY MR. ROBINSON)**

Which was read.

Also,

Bill No. 1867

A Resolution entitled, "Resolution authorizing and directing the Director of the Department of Finance to establish a chargeback system for Workman's Compensation losses to be implemented for each Department with City Government." **(SPONSORED BY MR. WAGNER)**

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1868

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Sargent Electric Company in the amount of $863.50, in payment for Extra Work, being in addition to the original contract price of $41,450.00 on Controller's Contract No. 26968, and warrant in favor of Pugliano Construction Company in the amount of $3,400.00, in payment of Extra Work, being in addition to the original contract of $548,500.00 on Controller's Contract No. 26716, furnished for the benefit of the City in connection with construction of Riverview Pool and Bathhouse, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1869

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Anjo Construction Company, in the amount of Three Thousand Seven Hundred Thirteen Dollars and Fifty Eight Cents ($3,713.58), in payment for Extra Work being in addition to the original contract price of Two Million One Hundred Thirty Four Thousand ($2,134,000.00) Dollars, on Controller's Contract No. 26833, furnished for the benefit of the City in connection with Site General Construction at the Pittsburgh Zoo - Phase III, Savanna Exhibits; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1872

A Resolution entitled, "Resolution Repealing Resolution, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 514, as amended, and providing for the forfeiture of hand money."

Which was read.

Also,

Bill No. 1873

A Resolution entitled, "Resolution Repealing Item C of Resolution No. 674, approved August 13, 1984, which authorized the sale of property, being vacant land in the 4th Ward, located on Bohem and Griffith Streets, designated as Block 29-L, Lots 40 and 58, to Guy E. McCombs, for the sum of $1,500.00."

Which was read.

Also,

Bill No. 1874

A Resolution entitled, "Resolution amending Item E of Resolution No. 900, approved October 18, 1984, which authorized the sale of property in the 12th Ward, being 3 lots, located on Winfield Street, designated as Block 124-P, Lots 112, 113, and 114, to Henry Lockley, for the sum of $2,000.00."

Which was read.

Also,

Bill No. 1875

A Resolution entitled, "Resolution amending Item M of Resolution No. 971, approved November 7, 1984, for the sale of property in the 32nd Ward, being vacant land located on Library Road and Kingwood Street, designated as Block 139-M, Lots 135 and 146 to POA Company, for the sum of $1,200.00."

Which was read.

Also,

Bill No. 1876

A Resolution entitled, "Resolution amending Item L of Resolution No. 971, approved November 7, 1984, which authorized the sale of property in the 25th Ward, being land on Belleau Street, designated as Block 23-C, Lots 106, 107, 110, and 111, to Forrestine O. Lindsey, for the sum of $500.00."

Which was read.

Also,

Bill No. 1877

A Resolution entitled, "Resolution Repealing Item H of Resolution No. 229, approved April 3, 1984, which approved the sale of property in the 13th Ward, being a vacant lot, located at 7843 Susquehanna Street, designated as Block 175-G, Lot 69, to Earnest Wilkerson and Ramona C. Wilkerson, his wife, for the sum of $300.00."

Which was read.

Also,

Bill No. 1887

A Resolution entitled, "Resolution transferring the amount of seven thousand, seven hundred, twenty-three dollars and ninety-eight cents ($7,723.98), unencumbered 1983 balance from Code Account 1661, Miscellaneous Services, Supplies, Repairs, Materials and Equipment, into Code Account Community Communications Trust Fund (CC), Index Code 250555; and transferring the amount of one thousand, one hundred eleven dollars and ninety-three cents ($1,111.93) unencumbered 1983 balance from Code 1660, Salaries & Wages to Code Account Community Communications Trust Fund (CC). All accounts within the Bureau of Cable Communications, Department of Public Works, Index Code 250555."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1888

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Domenic Parente Contractors, Incorporated, in the amount of Seven Thousand Nine Hundred Fifty Nine ($7,959.00) Dollars, in payment for Extra Work done on the reconstruction of the Torley Street Sewer, and other work incidental thereto; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1891

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Volpe Insurance in the amount of eight thousand nine hundred and twenty-seven dollars ($8,927.00), in payment for interim stop-loss insurance covering the City of Pittsburgh's self-insured workers' compensation program, furnished for the benefit of the City without previous authority of law."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1892

A Resolution entitled, "Resolution providing for the transfer of $2,500.00 from Code Account 1060, Salaries, Regular Employees, to Code Account 1061-1, Premium Pay, all within the Department of Finance."

Which was read.

Also,

Bill No. 1893

A Resolution entitled, "Resolution transferring nine hundred fourteen dollars and seventeen cents ($914.17) from Code Account 10, Index Code 001008, Accounts Payable, Prior Years, Department of Parks and Recreation, to Code Account 1838, Index Code 183806, Miscellaneous Services, Department of Parks and Recreation."
—(SPONSORED BY MR. WOODS AND MR. STONE)

Which was read.

Also,

Bill No. 1894

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, "Fiscal", Article VII, "Business Related Taxes", Chapter 245, "Earned Income Tax", Section 245.04, "Collection at Source", Subsection (c), to change the filing date."

Which was read.

Also,

Bill No. 1895

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, by changing the Rate of Interest on certain Delinquent Earned Income and Home Rule Taxes."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 1907

Report of the Committee on Public Works for December 19, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1735

A Resolution entitled, "Resolution vacating Banksville Avenue (Old Banksville Road) from McMonagle Avenue to the Mt. Lebanon Township and Dormont Borough-Pittsburgh City line, excepting and reserving an easement for the 8-inch sanitary sewer line located therein in the 20th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the

bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Grabowski presented

Bill No. 1908

Report of the Committee on General Services for December 19, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1860

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts for the furnishing and delivery of large diameter hose and apparatus adaption set, for the Department of Fire, Code Account No. 1468, Index No. 146803, Equipment, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Robinson for Mr. O'Malley presented

Bill No. 1909

Report of the Committee on Public Safety for December 19, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1861

A Resolution entitled, "Resolution providing for a Contract or Contracts from time to time in connection with the demolition and removal of condemned buildings and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the

bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Wagner presented

Bill No. 1910

Report of the Committee on Engineering and Construction for December 19, 1984 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1870

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for the rehabilitation of various Department of Parks and Recreation turfed areas and ballfields including, but not limited to the Richie McCabe Ballfield and the Fineview Ballfield; and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

Let me straighten up something relative to you, Michelle. It's now my understanding that Michelle has requested her committee back, the Water Committee. Mr. Wagner has consented to give that portion back to her and officially she's back as Chairperson of the Water Committee.

Michelle Madoff:

Mr. Stone, all of us are very concerned about what has been going on with the unemployment in this community and it's very distressing to pick up the paper today and last night and read that industry is sort of pessimistic about business confidence slides and the headline seems to be worse than the story, it seems to suggest that maybe because there's been a "turnaround" in other areas, the reporting of the turnaround is not as vociferous as it used to be and that therefore perhaps it's giving a misleading

kind of feeling.

The thing that I'm very concerned about in this climate of unemployment is the situation that has been going on between the Mon Valley dissidents and what is happening in the communities. I don't know whether it's Council's place to intervene but somebody is going to have to intervene before somebody is hurt. To that end, I have a call in to try to get the people in the Mon Valley Network and I have a call in to Mellon Bank.

The other day when I referred to the development of the North Shore and/or the Strip District, I think what we have to understand, all of us, is that times change. The days of the steel industry coming back as they were is never going to happen. That isn't to say that we should try to keep as many steel jobs as we can possibly in this area and be supportive of that kind of thing. Certainly the first step in the right direction again is the quotas that have been established on foreign steel. It would seem from the people I talked to in the steel industry to indicate that there will be a greater sale of steel for the short term but on the long term its the same old story.

So, what we're going to have to do is look for other ways of generating jobs in this community and I can't think of a better way than the project Mr. Grabowski, Mr. Wagner, myself and other members of this Council are interested in, and that is putting people to work, generating jobs through the concept of developing the Strip District into a mini Baltimore Harbor concept and perhaps at the same time doing the North Shore. I've spoken to Mr. Brophy and he sees no reason why both entities cannot go.

I think if we sit down, or if somebody takes the initiative, and sits down with the unemployed people of this area when they're still getting contributions of food to a food bank because they're not going to eat this Christmas and New Years, this City is really in trouble, this community. We can't wait until somewhere down the line in the future they work out another study for two and a half years and say now we ought to start thinking about developing the Strip District or developing the North Shore. Everything that I've looked at, and I think that my colleagues would substantiate they've done even more research than I have, indicates that the Strip District for example is ready to go immediately. Certainly some preliminary overall programs would have to be done so you don't go at it in a slipshod manner. The land is there, the developers are there; it's a matter really of some leadership. I could see where Mellon Bank could really put their credibility on the line to say, "We really want to create some jobs in this community", and get actively involved with the Administration and with this Council to help all this become a reality. And by all this I mean developing the Strip District, developing the North Shore.

I want to remind my colleagues, this was done by a research person from my office who did a great deal of extensive research. In the Baltimore area, Harborplace created 2300 permanent new jobs in four years. There's $400 million worth of new construction underway including six hotels, office buildings, apartments, shops, entertainment centers and parking garages and an estimated eight to twenty million people visit the area each year.

Now, I'm not saying that we're going to have exactly the same kind of duplication of development but it is a very viable alternative. The grant that we voted on in Council this year to give some money to the Civic Light Opera so

that they could develop the concept of making stage backdrops for all theaters at half the price they make it in New York and Pitt encouraged them to perpetuate and make designs for department stores, the backdrops for windows. That is in the Strip District; that could generate a lot of jobs.

Obviously we cannot sit here as members of this Council and the Administration and just let what is happening happen. Somebody is going to get hurt. If we sit down with all the people invovled, perhaps we could turn the situation around and start heading towards a common goal. I would urge that we immediately set up a meeting right after the first of the year with all the parties concerned and see if we can point people in the direction of this concept of jobs. I know there are five votes on this Council for the Strip District because its ready to go almost immediately. As I said, Mr. Brophy doesn't see why Urban Redevelopment money couldn't be available for the North Shore as well. That would diffuse the problem enormously.

I would ask that somebody set up that meeting, and quickly. I would be happy to do it but if the President of Council wants to do it I won't pre-empt him.

The Chair presents

No. 1911 Communication from Mayor Richard S. Caliguiri, City of Pittsburgh, appointing Ms. Minona Clinton as a member of the Minority and Women Business Enterprise Review Committee for a term to expire January 1, 1988.

Which was read, received and filed.

Also,

No. 1912 Resolution approving the appointment of Ms. Minona Clinton be and the same is hereby approved and confirmed as a member of the Minority and Women Business Enterprise Review Committee for a term to expire January 1, 1988.

Which was read.

Also,

No. 1913 Communication from Mayor Richard S. Caliguiri, City of Pittsburgh, appointing Rev. Roy Holmes as a member of the Minority and Women Business Enterprise Review Committee for a term to expire January 1, 1988.

Which was read, received and filed.

Also,

No. 1914 Resolution approving the appointment of Rev. Roy Holmes be and the same is hereby approved and confirmed as a member of the Minority and Women Business Enterprise Review Committee for a term to expire January 1, 1988.

Which was read.

Mr. Robinson:

These two individuals have to come in and we're holding the appointment of Mr. Charles Rhodes until these two appointments are considered so we can take all three at the same time.

The Chair:

Call them in on Wednesday?

Mr. Robinson:

Yes, if that's possible. As soon as we can have them come in, the better.

I'd just like to take this opportunity to wish all members of Council and our staff a Merry Christmas and a Happy New Year, and to also wish a Merry Christmas and a Happy New Year to all the members of the Administration. I think this is a time when we can share with one another good feelings and good times and certainly it's been a pleasure, and I can really say that it's been a pleasure, for the whole year when I look at it in retrospect. The whole year has been a pleasure to be here, it's been a pleasure sharing with each and every one of you our service to the people of the City of Pittsburgh. So, Merry Christmas and Happy New Year!

Michelle Madoff:

Mr. Stone, I found it enormously gratifying that both newspapers carried a comment that Council was exhausted. It might even imply we do some work here; the public seems to regard Council as a bunch of freeloaders who do a little part-time work. I think the media has seen us work pretty hard during this budget and on other issues and I want to thank them personally for having that statement in the papers.

Mr. Woods moved to excuse Mr. O'Malley for absence from the meeting.

Mr. Grabowski seconded the motion.

Which motion prevailed.

Mr. Woods moved to recess this meeting until Friday, December 28, 1984 immediately following the recessed Standing Committee Meeting scheduled for Friday, December 28, 1984 at 10:00 a.m.

And on the motion of **Mr. Woods**

Council recessed.

Pittsburgh, PA
Friday, December 28, 1984

And the hour of 10:00 a.m. having arrived and the time of recess having expired, Council reconvened and there were present:

PRESENT:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

REPORTS OF COMMITTEES

Mr. Woods presented

Bill No. 1915

Report of the Committee on Finance for December 26, 1984 submitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1771

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, "Fiscal", Article IX, "Property Taxes", Chapter 263, "Real Property

Tax", Section 263.01, "Levy and Rate on Lands and Buildings", by levying the real property tax for 1985."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1905

A Resolution entitled, "Resolution authorizing the Mayor to issue and the City Controller to countersign a duplicate warrant to the same payee and in the same amount to replace the following warrant which was lost, stolen or inadvertently destroyed."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1772

A Resolution entitled, "Resolution making appropriations to pay expenses of conducting the public business of the debt charges thereof for the year beginning January 1, 1985."

Which was read.

Mr. Robinson:

Mr. President and members of Council, I'd like to comment on Bill 1772. As Council is aware, I did offer a tax package which was an alternative to that presented by the Administration. After consultation with our budget staff and my fiscal people in my office, we made a decision to hold consideration of those bills until after the first quarter of 1985 in order that we might better assess receipts by the City of Pittsburgh as compared to projections by the Administration and ourselves. After the first quarter, the first Wednesday session, those bills will be back in Committee and I anticipate a vigorous discussion on that tax package. Also, I would hope that by that time all members of Council and the

Administration will be prepared to look at these taxes and to be educated and informed as I'm trying to become about taxing policy in the City of Pittsburgh and hopefully the leadership of this Council in 1985 will look at this tax package as a realistic alternative to that which was submitted by the Administration.

Also,

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Bill No. 1773

A Resolution entitled, "Resolution fixing the number of officers and employees of all departments of the City of Pittsburgh and the rate of compensation thereof for the year beginning January 1, 1985."

Which was read.

Mr. Wagner:

Mr. President and members of Council, in regard to Bill No. 1773, as that bill pertains to the proposed Public Safety Department, my previous vote on that and my most recent vote here in our Committee Meeting, I'd like to explain that vote and explain to all of you the position that I've taken in behalf of that position and possibly convincing some others of that position.

The Chair:

I was going to suggest you do it later but since you want to use it as a persuasive power, go ahead.

Mr. Wagner:

I haven't talked publicly about my background but I feel compelled to do that because that supports my position on this vote. I have a B.S. Degree in Safety Management from Indianna University of Pennsylvania; I'm a certified Safety Professional nationally, I've worked in the profession professionally for eight years; I'm a former professional paramedic while I was in college for two years of which some of the paramedics in this City know that and particularly the Director of EMS, Glenn Cannon. He worked with me at the same ambulance service when I was in college. I know the man's qualifications are very good qualifications; he's a very qualified person in the paramedic field.

The reason why I'm bringing this up is, and I mentioned that my degree is in Safety Management, and I'm repeating that, Safety Management. Safety cannot in any way be implemented unless it has the support of the management system. The management system comes before safety. The management system comes before anything that you want to implement within that system because without a management system you cannot implement any type of proposed

issue or new program. You cannot implement a new computer system within a department unless you have support of the management system.

I have in front of me the bible for safety. It's called "The Accident Prevention Manual". It's written by the National Safety Council. I'd like to read a couple paragraphs in there pertaining to organization.

"A safety program is not something that is imposed on company organization. Safety must be built into every process or product design and into every production operation. It must be part of the organization. The prevention of accidents and injuries is basically achieved through control of the working environment and control of people's actions. Only management can implement such controls.

Analysis of safety programs with outstanding safety records shows that invaribly the programs are built around seven basic elements. Those seven basic elements are: 1) managment leadership; 2) assignment of responsibility; 3) maintenance of safe working conditions; 4) establishment of safety training; 5) accident record system; 6) medical and first aid systems; and 7) acceptance of personal responsibility by the employees."

What all these elements indicate is that in order to have an effective safety program, you must first have an effective management program. How does that relate to the issue of public safety? Back on December 4th this Council had in front of it the Mayor, Mr. Matter, Mr. Cannon, and Mr. Turner. At that time, through various questioning, I asked who was part of the development team that went into the proposed Public Safety Department. Various names were indicated but two key names were left out. The two key names that were left out was the Chief of Fire, Mr. Lewis, and the Superintendent of Police, Mr. Coll. The two people that are not union people, I repeat, are not union people, and do not necessarily represent these people pertaining to union issues, they are people that are part of the management team within the Administration of the City of Pittsburgh. What important element do they play as part of any proposal in those departments? Well, I asked that in the various questioning and I just want to bring that back up while we're sitting here, the importance of them. I mentioned the significant point that day and I have the transcript of that meeting. Management Development course at CMU, one of the principles taught at that course is that you should consult when making a decision that has overriding impact within that department. You should consult with management people within that department if you want whatever you're proposing to be accepted by that management and by those people.

At that meeting, if you recall, in my last paragraph I indicated to the Mayor and Mr. Matter, "I have tried to emphasize here at this table some important elements that have not been brought into the picture. I think they would have been brought into the picture if Chief Lewis and Superintendent Coll would have been part of the reorganizational plan. I suggest that you sit down with these people and you look at what has been proposed, you ask their opinions of what has been proposed, you ask if they think changes should be suggested to that plan, and come back to this Council with the opinions of those people and a final plan as suggested."

The reason why I asked that pertains to what I just read out of this manuel. Unless you have management

support of any program, chances are the program as suggested is not going to work the way it's intended to work. To my knowledge, there has been no consultation with management. I did not ask for the Mayor or Mr. Matter or Mr. Turner to sit down with Charlie Burns, Pat McNamara, or Mark Schneider. What I asked him to do is to sit down with the people who report to him directly as part of this overall safety program. What I wanted to see and what I wanted to hear prior to today's vote was simply their opinion to come out publicly and to support what has been suggested. To this date I have not heard that. For that reason, I am stating that a basic management procedure has been violated. If you don't have the support of the directors, if you don't have the support of the people that report to the directors, how in the world can you implement a new program? Don't you need their input? Shouldn't you have their input? Don't you honor their input? I personally think yes, you must honor their input. If you want the floor swept in every office at the end of the day, I would think it's important to discuss with the management people responsible for getting that done. That has not been done in this particular situation. It irritates me to a great degree to read editorial after editorial in the newspapers, over the radio channels, that simply reiterate what has gone on in terms of sessions with those editorial staffs. It almost sounds as if the Mayor is talking.

What's going on here? Do we have a management system within this City or do we not have a management system in this City? Are the people that we have qualified, should their opinions be honored? I personally think they must be honored. You can't implement anything unless you have their support. Again, I'm not talking about the union president; I'm talking about the management people in this City. A program of any type, if we want it to work, must have their support.

All of you know that I have supported safety since I've been on this Council. I've put a resolution in front of this Council back in August that I have in front of me suggesting, and I'm reading the bottom line, "Be it resolved that the Council of the City of Pittsburgh hereby requests the Mayor to initiate a safety policy and a safety committee within City government."

Some actions have been taken on that. I know recently a letter has gone out to various union leaders by Mr. Bernard Schneider suggesting that a safety policy be adopted. I personally don't like to see a letter go out from Bernard Schneider. I want to see a letter go out from the Mayor. I want to see a letter go out to management people in the City; I want them to support a safety committee, a safety program, a safety policy.

All of you know also that I introduced legislation and I appreciate the support of that legislation which passed this Council last week pertaining to a charge back program for losses in the workmen's compensation area. Beginning this year, each and every department director within the management system will be responsible for the financial losses and the accidents of each and every person within that department. What does that do? That again incorporates the safety and the management. It makes the management of that department responsible on a daily basis, on an annual basis, when they come in front of this Council that will make them responsible as part of that budget for the number of work related injuries and the cost of those injuries. That legislation supports the management system within this City. It enhances the management system, it

makes them more a part of the safety program. They must be on a daily basis in order for it to be effective. A safety program for employees in this City will not be effective unless the management beginning at the top, down through the directors, down to the supervisors, to the foremen, unless they're involved, it won't be effective.

We all like the idea of a Public Safety Department. I personally think it's a great idea and I support the idea. The next question is, how do you accomplish it? How do you reach that goal? The way you reach that goal is to incorporate what I am suggesting here, the management people as part of that program. That has been violated. That should never be violated. You cannot accomplish the goal unless they're part of it.

Again, I am suggesting that this entire idea of a public safety program go back in the hands of the Mayor and in the hands of the various directors of the departments to reach an agreement. If those people came out publicly in support of this program, I will support the program. I will vote for the program. Even if Bernie Burns and Pat McNamara are against it, if the directors of those departments support it, after all the controversy that's gone on, I'll support it. Until that day occurs, I cannot support it and again I am suggesting that it go back into their hands. I personally wish that every vote on Public Safety would be abstained. It would send a message to everyone that this Council is not comfortable with what has been proposed, that this Council wants to see the two parties sit down and work out the disagreements. We don't want it thrown in our laps until that happens. It has been thrown in our laps and I am suggesting that we throw it back into their laps. Thank you.

Mr. Givens:

Mr. President, on a technical thing, you might be able to help me out. Today we are voting on the funding of the 1985 budget. However, there is still legislation pending before this Council to create a Department of Public Safety, is there not? When will that come up for a vote?

The Chair:

Next week.

Mr. Givens:

That will come up next Wednesday. That's after the first of the year. There's a technical question here. If this Council approves this particular budget as we submit forward for the funding, what happens next Wednesday if and when we come up with the reorganizational legislation?

The Chair:

We're into a problem where we have to fund before December 31st in the event that that's the result.

Mr. Givens:

But in order to create the Department of Public Safety we must have an ordinance and that ordinance will be acted on next Wednesday, is that right?

The Chair:

That's what I'm told.

Mr. Givens:

Okay, that's one thing. Secondly, and the fact that this is our Executive session and this is where the Municipal Record will record the events of the past

week. I would like then certain documentation to be brought forward to the Municipal Record.

One, I would like the total inclusion of the Firefighters Local No. 1 report to this Council. In there I especially want written out in the Municipal Record the remarks from Bernie Burns to Mayor Caliguiri in regards to the formation of the Public Safety Department.

Also, I want carried forward the 18,000 signatures that were submitted to us.

I want in total the Allegheny County Labor Council's letter to be a part of the record. I want the mailgram that came from the International Association of Firefighters to the Mayor of the City of Pittsburgh. I want the Pennsylvania AFL-CIO letter from Robert G. McIntyre to be a part of that record. I want the House of Representatives of the Commonwealth of Pennsylvania with all the eight representatives from the City of Pittsburgh to be incorporated in the Municipal Record. I also want the Spring Hill Civic League letter to this Council. I want the Overbrook Community Council's note, the Sheraden Civic Club, Windgap-Chartiers City Civic Club, the Esplen Citizens Council, and also the Mount Washington Action Coalition.

Also, the one thing I think that Jack Wagner brought out which was brought out and our local support changed from true public safety and it was a comment by John F. Purnell, Vice-President of Local No. 1. He indicated, "Our history shows that we do not oppose change; it has a positive result. We only oppose change when it is not in the best interest of the public's safety. Every firefighter takes an oath when he comes on the job. We swear that we will do everything in our power to protect the life and property of the City of Pittsburgh. If we would agree to support this plan, what we would be doing would be going against this oath because this plan isn't to improve the public's safety, it is to take the Fire Department back to where it was in 1963."

I also would like the opening remarks of Pat McNamara at the public hearing to be brought forward for the Municipal Record.

I also want the opening remarks of Agnes Brose and Dick Schwartz in the public hearing to be brought forward for the public record.

I also want my own remarks to be brought forward from the public hearings on the 18th and 21st sessions of the Finance Committee last week and of course the session that we had today.

I want this because it is a great milestone. When all these unions are supporting and telling us something, it does become a union position. When we see what's happening in our country today and in the world today and seeing what's happening to our unions and what they're trying to do to our society, what society is trying to do and our leadership is trying to do to the union. I feel very strongly that these remarks be brought forward so history will so note what happened on this day, today.

(MR. GIVENS' REMARKS - SAFETY ADMINISTRATOR - 12/21/84)

Mr. Givens:

Thank you. We're looking at a new total philosophy of government right here if we approve this particular position. I have to recall that there is 18,000 petitions layed in front of us on this table, and the citizens of the City of

Pittsburgh, via that of the Fire Department and this three day collections saying that the citizens out there did not want this to happen in the format that it was going to happen.

Secondly, to approve this position, for the record, Council's loss of the approval to approve that of the Superintendent of Police, the Chief of Fire and Director of the EMS will no longer be within the powers of Council. Otherwise, the people who elected us to this particular office have asked us to retain that particular power via the 18,000 signatures that were given to us.

I can say that we have lost much of our authority by the people with the Water Authority and Leasing Authority, and the over five that we have within the City Government.

THE CHAIR COMMENTS

Mr. Givens:

I'm talking about the magnitude of trying to approve this Chief Administrator —

THE CHAIR COMMENTS

Mr. Givens:

Jack, can you give me a format or sombody give me a format? It's under the Department of Public Safety, is it not?

THE CHAIR COMMENTS

MR. O'MALLEY COMMENTS

Mr. Givens:

To change anything in the Department of Public Safety or the other departments that will be coming before us, the EMS and Police is in fact changing it to the Department of Public Safety.

MICHELLE MADOFF COMMENTS

Mr. Givens:

Excuse me, Michelle, to change anything in here is deviating from the 1984 budget as it stands right now and as a result, in fact, when you're through with this, you will have created a Department of Public Safety.

THE CHAIR COMMENTS

Mr. Givens:

Excuse me. My point of clarification — at the Department of Public Safety, we do not have that department yet, and I read loud and clear that we are talking about budget review work sheet of the Department of Public Safety. If you're to vote on anything here, we are in fact saying that we are creating the Department of Public Safety. I want to address that under the Safety Administrator, under the Department of Public Safety.

The Chair of command of that of the Mayor of the City, via the Public Safety diagram that was given to us that it again changes that chain of command and puts it through other areas of bureaucratic layers of government before it comes to the Mayor. Right now the three uniformed services reports directly to the Mayor's Office to the Mayor directly. The chain of command will be broken and as the Mayor's direct involvement and the discussing and making decisions that happen in these three vital areas of uniform services which is in fact the whole base of community of our people and our citizens in the City of Pittsburgh is something that I cannot condone.

Thirdly, that the citizens of Pittsburgh came before this Council in a public hearing and asked for more time for this thing to be completely aired. I have a diagram of what is going to happen. I have not received any detailed plans of how this new public safety director or new public safety department is going to function other than a diagram and the Mayor's statement as to bringing everything together. I think that is a great problem. Until I get such a document and until the people and public review that document, it should be forwarded to us from the Mayor's Office, I can't see in order to do that, we are then diminishing the citizen's input. I don't think any of us really want to do this because the citizens groups did come before us and with more time, I'm sure, there won't be just 18,000 signatures, there will probably be about 100,000 signatures saying, "Please give this time to aerate over a year's period. If this Council can do that, then fine and dandy. To approve any of these positions under the title of Public Safety we are in fact, ladies and gentlemen, creating a Public Safety Department.

I'm abstaining on all these votes because it's under the Public Safety of the police branch and I don't believe in the Public Safety Department period.

If I might, to summarize again, that now the Department of — it used to be the Bureau of — and I don't think we can make a department when we can only have departments according to the Home Rule Charter, and I think it's going to be made out of order anyways. And department or what they are is so important to the City that their heads to report directly to the Mayor. Let me just show you for example, and take note of what I'm trying to say, take note the reporters and the newspaper people in this office; here is the whole pie. This is the pie right here of the whoke department. Let me tell you. Of 20 some departments in this City, 28 percent of the total budget is put in all those departments. Twenty-five percent of our budget is put in the Public Safety Department. Why does not the Mayor have all the departments going into some other administrative head so he can be released and concentrate in the area that I think the people have elected him for and that's their public safety and their security and health and welfare and their well being. What is happening? Why does the Mayor want to insulate himself and put somebody else in there and put administrators out to the side and put people in emergency disasters out in the side? What is wrong with our Mayor today that he has to give this Council such a budget and just cut the legs out from underneath our citizens?

Look at this budget, ladies and gentlemen, Public Safety, ha ha, very nice. You know what public safety was in last year's budget, 27.7 percent. Do you know what it is in this budget; 25 percent. Who cares about public safety in this room today and who cares about public safety in that office across that hall from this Council?

Why do you think 600 firemen marched down here, and why don't you think that there had been 600 policemen down here if in fact they could have done so? Do you know why? Not because of a couple of positions, that was not the case. The case was that they were out there fighting for their citizens. Why do you think that they came up with 18,000 siguatures? Because the policemen out there — you can't get 600 men to come out for anything around here unless they have it in their own minds that what they are doing is for the betterment of their family.

Let me tell you one thing in this room. We think about ourselves first,

last and always, and those firemen were thinking about themselves because they sleep at night just like we sleep and they are thinking about their children and about what their primary responsibility is. The policemen and the firemen and the EMS, they are thinking about what they are doing. That's why those people were out their demonstrating and let me tell you, Council, this is the preliminary vote. We got one week and may the good Lord come down here and enlighten some of you between this Friday and next because I think if the media properly indicates, as you're hearing out there now, the sirens going and the firemen responding to it, who is going to give the directions of saying when we have a major problem in this City? They are not going to move until we get — the Public Safety Director is going to have to tell them what to do. Right now those things I hear out there are the Fire Department and we have chiefs responding to them and they can't wait for someone to give them an order because the men on the beat and the fire companies, the first ones to get on the scene, that is our life line. That is the life safety, and the Mayor of the City of Pittsburgh through this Council a five member vote so far is giving up that right. God bless you with the public.

(END - MR. GIVENS' REMARKS - SAFETY ADMINISTRATOR - 12/21/84)

(REMARKS FROM PUBLIC HEARING DECEMBER 18, 1984)

Aggie Brose:

Good morning. I am Aggie Brose. I am with a community organization, the Bloomfield-Garfield Corporation, and in view of what Charlie Lewis has just said I couldn't agree more, and I would like to say that we are very proud, Charlie comes from Garfield, as Dickie Moran and as John Harpur and as the Burnses and as the Petrellas, and we're very, very proud of our Fire Department, and Charlie, Bloomfield-Garfield will get you a placque. You deserve it. Because, in view of what you said, what I'm saying is almost repetitious.

What I am saying first is I feel very pleased with myself because I have the advantage that some people do not have. Because of being an activist I have become to know the Mayor very well. I have become to know you Council Members very well. I know Bernie Burns. We were married on the same day. I went to school with his wife. Jimmy Turner was my next door neighbor and my babysitter. What I'm saying here is we're all people of the same level. I don't see any other people in this room but us family people putting a City together to stabilize it and build in it with pride and dignity. That's all I'm about. I'm not here for financial gain. I don't have much, but I have my family and I'm a very proud person.

What I have just witnessed now is devastating and overwhelming, and so that nobody misses what was said, a man has been stripped of all his pride. It is the worst thing you can do to a human being and I don't appreciate it being done to Charlie Lewis, and that's what was done. Whether it was done intentionally or unintentionally, it was done.

So the Bloomfield-Garfield Corporation, being an organization to build a neighborhood, whether it's in good taste or bad taste or we tramp on toes we take positions, stands, on anything that happens for our neighborhood, and we have to take a stand on this and we have to take a position. But, before I tell you how we came to that conclusion of our position I'd like to outline how we've seen this issue bring us here today. We have a Mayor, and I think he

is a very good human being. I know that he tends to his father who's blind, and he has children, and all of a sudden he comes out here last week and I visibly see him on television committing political suicide is what he did. Will any of you people in this room campaign for him as Mayor this year?

AUDIENCE COMMENTS

Ms. Brose:

Why did he put his neck on the block, because he did, and it bothered me. Here's a very political animal. You're politicians; you do a lot of things for the voter, for no other reason, not because it's good, not because it's bad, because you want to retain your political position because you gain power and control and you like it, it feels good. Okay, so here we've got a Mayor who's a very political person, and he's a good person, he's separated, he's a family person, and all of a sudden he's got a real sharp staff, and in comes the staff and they educate him and they say, "Mayor, we've identified a serious 'Administration problem' in our Public Safety Department. We're responsible; you're responsible, you're the Mayor, the burden's on you, you must address this problem." Now, we got staff people here that are not organizers, they have no technical skills to realize you must bring the people along. You must respect the people involved. You must educate people. You must show them why change is needed.

Who can relate better to this than Council? How many times has the Administration, the higher-up people, come in and dumped something on you two miniutes before you have to vote on it? Do you know how these firemen and these policemen and us community people feel that 10 minutes before you're voting on a budget you come in with a gigantic major change? We've been nine years researching the Police Department. We have never had one complaint about the Fire Department, not one. We're only in existence nine years, but we have no complaints about the Fire Department into our office, but we don't have numerous complaints on the Police Department, and I'm sorry to say that, but I think the policemen know where the complaints come from, they come from morale.

Like Charles Lewis said, how can you function if you're down in the dumps, if you're depressed? How would any one of you like to go down to No. 3 Police Station, report to work where the place is filled with roaches and mice running around in the daytime, or go out to No. 5 — who wants to work? You might work in nice offices. You just rehabbed them for $300,000. Our policemen and our firemen don't have that. Thank God this little staff of the Mayor said, "Hey, back up, we're making mistakes. We've got to do something better here." Our firemen are so damned dedicated that they'll fight that fire and never question you whether you're being accountable to them or not, and our policeman does the same thing, they run in without — and why for nine years in my existing of researching the budget has the police and the fire budget been the most ones stacked with funds never used? Why is there always a surplus when this should be priority in this City. Public Safety is priority to family and to build a City. We didn't see that happening in nine years. We see this chance now. Change is hard. We run around and we say we are the City with the smile, but it's not our City and we're not saying that because none of us are smiling today, and it's Christmas. Like Bob says, we don't have nothing to smile about. People's being hurt; people's being stripped just because of the lack of the way you're putting the program together.

Like I say, I learned a good experience. I watched my mother in Kane for five years lay and deteriorate. From deterioration you create terrible, terrible bed sores. She was polluted with them, and they kept putting salve on them and bandages on them, and one smart doctor said, "Let's get her to St. Francis. Let's clean them out to the bone, dig it out, impact it," because you know what, you heal from the inside out, and we not only need change in this City, we better start building some trust, trust from the Mayor to the Council, from the Council to the people, because without trust, nothing. You can vote this in, and you're being pressured from all sides, and the bottom line, don't tell me not one of you aren't going home thinking, oh, my God, us four run for election this year, are we going to get the vote, because you do. You do. You're political. That's why I'm not a politician; that's why I'm a community person. I'd probably lose the election. Now, what I would like to say is —

MICHELLE MADOFF COMMENTS

Ms. Brose:

— that we do have a position, stand, on this. We feel that if Council listens — don't come to these public hearings and tolerate us, please listen — listen to our position. We're not the experts, but we put a lot of thought into it, we've spent a lot of time. We'd like now for Rick Swartz, in detail, to present our position that we can all work together, and never again should you do to these firemen and policemen what this Administration has done. It was wrong. If it wasn't wrong we wouldn't be here today. Thank you.

THE CHAIR COMMENTS

Mr. Swartz:

Quickly, what we are going to propose is that a Council Task Force on Public Safety be created. It's long overdue. The purpose of the Task Force would be charged by City Council with the task of reviewing the proposed reorganization of the Public Safety Department and presenting to Council a series of recommendations relative to the implementation of such a reorganization by February 13 of next year.

The fundamental mission of the Task Force would be to allow for the input by community and union representatives, as well as the business community, that is missing from the Mayor's original proposal. It would also provide an opportunity for better education of the public on the need for such a reorganizatin, and parmit participation by an expert in the field of Public Administration, who is not a political partisan on this issue.

The objestives, number one to review the Administration's proposed reorganization hitherto shared in depth only with Council and the union and to present a series of recommendations to City Council on enactment of legislation authorizing the Mayor to revamp the Public Safety Department. The Task Force would report back to Council by February 13. Number two, to allow for additional public testimony from all interested parties on the issue by means of a hearing organized by the Task Force for mid January; and, number three, to help frame the priorities for action by the Administration when and if the reorganized Public Safety Department begins operation.

The implementation of this proposal would follow. Council would proceed to amend the Mayor's proposed

budget to permit continuation of the operations of the Public Safety Department in its present form through February 28. The only modification to the existing arrangement should be the creation of an interim or acting Director's position at the salary suggested by the Administration but for 60 days only. Council should also amend the budget to allow for the hiring of all the personnel recommended in the Mayor's proposed reorganization as of March 1, 1985, in the event the Task Force were to fully affirm the Mayor's plan. The one exception to this would be the retention of the five Deputy Chiefs in the Fire Department, in any proposed revamping, a recommendation which we think has always been accepted by all parties to the current dispute.

Finally, the composition of the Task Force, it would be chaired by Jim O'Malley, the head of Council's Public Safety Committee. The other members would be Patrick McNamara, President of the FOP, Bernard Burns, President of the Firefighters Union, Mark Schneider, President of the Paramedics Union, Dave Matter and James Turner of the Mayor's Office, Thomas Pavlack, a Professor of Public Administration at the Univeristy of Pittsburgh, with a long background in Police Department research and Fire Department research, Ronald Suber frm the Central North Side Citizens' Council who's been active in public safety matters on the North Side, Christine Goss Zupzig from the Brashear Association on the South Side, Agnes Jean Brose from the Bloomfield-Garfield Corporation, Ted Patterson from the West End-Elliot Citizens' Council, who has also been active in public safety matters, Justin Horan, President of the Greater Pittsburgh Chamber of Commerce, or Executive Director — I don't know which — and, finally, the Acting Director of the Public Safety Department, but in a non-voting capacity.

Finally, the outcome of the Task Force's efforts would be to allow for the develoment of a concensus on the very critical issue of improving the quality of public safety services to the City's population. It would make all of us partners in this effort rather than adversaries. It would emphasize that it is an issue of concern to everyone, not just the Mayor, not just the union, and not just the City's employees. It is we the citizens who will be financing whatever is eventually decided upon. Let us all work together for once. Thank you.

THE CHAIR COMMENTS

Mr. McNamara:

President of Council, Council members, I thank you for the opportunity to speak to you this morning on this vast reorganization that is supposed to take place. I have to say to you it's been very trying for both Bernie Burns and I, and many other people. I have heard doctors here today, I see many medics here, and fire and police. Let's get the record straight, we want coordination, but there's a way to do it, and I watched in this City when Martin Luther was shot and not one person was killed except by a convict who shot one up around there threw a molotov cocktail, and it was tremendous coordination.

But, let's start back on November 13, and what did the Mayor do? He produced a budget at City Council, and prior to that budget did his Labor Representative Bernie Schneider call upon the labor leaders, Bernie Burns and myself, called me at 12:30 at night. I said I'll be there, but I called my lawyer. That's how serious I thought it was. It had never happed before. As I talked with my lawyer on November 13,

one half hour before it was represented to Council I was on the 4th floor with Bernie Schneider, the labor representative for the Mayor's Office, and he said there's going to be a vast change. I said where; he said in the Police and the Fire and Medics. I said what type of change, and he said we're going to name a Public Safety Director, and I said what else. Well, he said, what's your reaction to it. I said, have you notified the Superintendent of Police; he said no. Have you notified the —

MICHELLE MADOFF COMMENTS

Mr. McNamara:

— Chief of the Fire Department; no.

MICHELLE MADOFF COMMENTS

Mr. McNamara:

I know that union leaders can be bought. I've been around and there's ways you do it, and that is a disgrace the way they presented this budget and the way they operated.

And he presented the budget here to the members of Council, and I sat to the left, and as I was sitting there, right before it started, the Superintendent of Police walked in, and he wasn't the Superintendent. The news media hit him. He didn't know anything about this. And I saw the Chief of Fire, Charlies Lewis, and they didn't know about it. And the Mayor went on to try to throw that budget on the public for a new Safety Director, trying to use the arson case on the South Side, the hazardous situation over towards Garfield. He talked about stolen cars. Well, let's not forget he did the eulogy at the car thief's funeral, and I have not forgot it, but I have an officer killed in Narcotics that he didn't go to the cemetary.

He's talked about cross-training that's necessary in the Police and the Fire and Medics. Well, go check our Pittsburgh Police Academy and go check the Fire Academy. Can you see the Medics play with needles in those two academies? I can't. Their trainings are in hospitals; our training is out in the academy. And the City doesn't control the Academy, it's certified by the State under a Police Officers Training Act of 1974. He went on to try to convince the people at desk jobs, and I've asked that the name be eighty, where I saw Director Glenn Cannon's picture and the byline above it was "80 desk-jobs removed in the Police Department." Beautiful sales talk. Please show me the bright positions you're talking about. We have a few; I cannot find the 80. And, I will tell you why certain officers are in them; privately, so you don't get embarrassed.

We talked about hot pursuit, and blamed the Superintendent. I left there very disturbed that day, but I liked the way he put it to the citizens, it's good coordination, but that's what we like to hear, but you had to open the budget and get inside that budget and see what it was about, and that's what I did.

I don't mind you trying to coordinate the services, but don't try to flood the budget with a tremendous amount of jobs, Audio-Visual Coordinator, Special Activities Coordinator. There was enough jobs put in that budget I question when the Public Director would ever work with all the Assistants and Directors that's been established in that budget.

I addressed to Council in a letter December 3, I asked them was the Home Rule Charter followed. It was very clear what Article #504 says, he must conduct

a public hearing prior to presenting that budget to Council. I read that Charter and it says both the Operating and the Capital Budget. Ladies and gentlemen, I don't care what they tell you, it was not done. There's no one on Council can tell me there was a public hearing, and it must be advertised in the newspapers. I asked why did the Mayor operate in the dark and fear most the exposure to light. I wanted to know who were the architects of conspiracy that formed this plan and how does the Mayor expect understanding and cooperation when he failed to communicate his plans with his own department heads, that in 1984 we paid $90,000 salaries to them, soldiers of long experience, and now is in the process of running to our local newspapers and going to the editorial staffs and asking them to write favorable editorials, and then running to the loal T.V. stations trying to do something like a commercial spot, and asking them to speak for his plan when he failed to communicate with his own people here within this City.

There is a real concern also in the move he's making, and I address it to you as members of Council. I'm getting tired of your power being diminished. I'm getting very concerned of the Authorities being formed and the Leasing Authorities and the Water Authorities. You're elected by the people and for the people. If you let them get away with this you have lost your power to confirm the Department Head of your Police, Fire and Medics under his new system. Under the new system the Public Administrator, be it the Public Safety Head, would be the only one you're allowed to confirm, the rest will be up to the Mayor or his political people.

I am concerned why did they change the titles if they want us all to work together? The titles Director and Assistant Director are medical terms. Crew Chief is a medical term. It's been the history of this Police Department long before 1900 to address them as Superintendents and Assistants of your Police personnel and the Chiefs and Deputy Chiefs of your Fire personnel. And you don't think a name means a lot? I do. Try to take the Steelers name away from them. They advertise, what name do you give to a hockey team, and I hear people correct you when you say Pixburgh instead of Pittsburgh. Names are important, and recognition is important, and when it went that far you know it's political.

I have questions of our Civil Service laws and our pension laws, and yes, they tried to answer them, with the type of paper that day, when the Mayor addressed Council. I spoke on our Training Act bill, and it has not been fully answered. The budget hearings were conducted answered. The budget hearings were conducted here December 4 for the Department Heads, and, indeed, it was a sad day. Prior to that we found out who the architects were of this conspiracy, and very shocking when I heard some of the names.

As you know, back in '82 they put an Administrative Assistant to the Superintendent of Police in this department, and when it was done I questioned it, because it looked to me like antoher political job being put in by the Mayor, and the gentleman's name is Mr. Lou Dinardo, and he is supposed to be the Administrative Aide to the Department Head of the Police, and that concerned me. He was back here on the 5th floor working under the Mayor that formed this plan, just knowing —

MICHELLE MADOFF COMMENTS

Mr. McNamara:

Mr. Lou Dinardo. — and forming

this plan, and he's supposed to be the Administrative Aide to the Superintendent and didn't even tell him? He's supposed to have been the individual who should have been writing the things for hot pursuit and deadly force. If that isn't a comspiracy then they have a long way to come to show me otherwise. When I watched the Departmnt Heads come in here Charlie Lewis was not here, and it was not his budget, and he didn't come in, and thank God we had a Deputy Chief and thank God he has Civil Service protection because he was able to sit here and challenge the Mayor's people and his staff, which was terrible, they couldn't answer the questions. And Councilman Wagner and Councilman Givens did a tremendous job, and Michelle, and they couldn't tell you the highest crime in this area, the narcotics problem.

And he is supposed to be a Safety Director? I question very seriously what is taking place. I want to say to you it is hard negotiating and arbitrating contracts in this City, and it's probably the honesty of your union leaders, and they too can waken. It's a lot of work getting Act III, the citizens gave it to use so we could not strike, and we have been moving ever since we got that law and trying to do our best for our people in the streets, fires and back alleys that many of us would not go in or travel along.

As we move forward in '84 the Medics are having problems. They don't come under Act III and there was going to be a slowdown, and I talked to some of their union people and I was concerned were they going to make us pick up their job, so that is a concern when they're not under Act III. But the thing that concerns me the most is I watched these budget hearings and I've used the Medics budget in my arbitrations to prove that figures are never factual. They have a trust fund, and it comes about from billing the people for Blue Cross and Blue Shield, and that trust fund brings a lot of money into this City. And let's not kid no one, when you can work with a blank check there's many things you can do. I want to say to you I've watched the budgets. I heard when the firemen or the medics were going to strike the Court Order was seeked against them for not filing out their medical forms, and Dave Matter at that time said it's costing the City $10,000 a day, and I smiled when I heard it because they tried to put the budget the year before it was only $900,000.

I have heard Glenn Cannon talk about all his experts and his computers. I have an article here dated April 9, 1984, the Paramedic costs. It was written by Albert Nere in the Post Gazette, and it gives the outline, 'Paramedics cost to City on decline." The basic life support in 1984 was $185.00 and the advanced life support is $235.00. The projected revenue, and the source is Glen Cannon, was $3.6 million in 1984, and he projects 1985 $4.5 million. I say to you people at Council check the budget and see what he projected to you, and you will not find it nowhere near that figure.

As you know, we had a news conference on December 7. Bernie Burns and I held it over at the firehouse where he works at. The reason we came about this law is we sat listening to the Director speaking, Mr. Glenn Cannon, and everything sounded like from the budget of the Mayor on down distinguished delivery for the Commonwealth of Pennsylvania, and not for the City of Pittsburgh. An he talked if there's a disaster in Fox Chapel or Swissvale they'll be able to cover it. And the more I listened I could not believe that something didn't exist in this State already. And we made an investigations,

and we heard all the doctors and all the sources, and no one come forward with the law until we broke a news conference on December 7, and that is the Emergency Management Act of Pennsylvania. When we put it in the newspapers, had the news conference, we heard remarks; it was a coverup, that they knew it existed that's why they're forming this plan, they knew it in September, and that we had Mr. Schneider from the Press write an article that Mr. Glenn Cannon informed him a year ago of this existence.

Now the Act I gave to all Council, and it specifically spells out where the federal money is, but there's one important aspect to that law that all the Mayor had to do is name someone, a recommendation. It is sent onto the State for a Police background check and then it's approved. Why has that step not been taken? The claimed they didn't know. Well, I'll take you back to memory lane, and I'll take you back to 1978, members of Council. In 1978 you passed a Resolution.

MICHELLE MADOFF COMMENTS

Mr. McNamara:

In October of 1978, to develop a comprehensive emergency preparedness plan, and you directed that it consist of 13 members, to include the Mayor, the President of Council, the Superintendent of Police, the Fire Chief, the Director of Emergency Medical Services, and the Director of Public Works and three additional members to be appointed by the Mayor, and four to be appointed by the President of Council, and you passed that and sent it on to the Mayor, and it was vetoed by the Mayor. And let me tell you, prior to vetoing it, the Law Department gave an answer. Dear Mayor, you requested my comments with respect to the above Council Bill. Section 201 of the Pittsburgh Home Rule Charter vests the Executive Administration and law enforcement powers of the City in the Mayor and provides the Mayor shall control and be accountable to the Executive Branch of City government. It also briefed on other parts of the Charter informing you when you violate it and what it coulde lead to, but it went on to talk about Senate Bill No. 1104, the Emergency Management Act, and he tells you he's vetoing this Commission that you wanted because Senate Bill No. 1104, Printer's No. 20, is presently pending in the General Assembly. Members of Council, it was passed approximately four weeks later and you never heard a damn thing, and there's the factual evidence right there.

What amazes me is Mr. Glenn Cannon says a few months ago. I have now come across a book with his name to the Mayor dated December, 1982 that talks about the plan. Now somebody is not telling the truth, and they hid from you trying to come in here and put in a Public Safety Director when just a little work, and start with the State, and this whole thing could be coordinated without us trying to hear that we're fighting one another, and this needs more investigation than what both Bernie Burns and I have done.

I ask you what is the problem that is always occurring when we reached in here to the budgets. What has been the biggest protest? It has been the hiring of Police, and it has been completely taken away from you with this issue. I want to remind you that back in March of '83 you once again passed a resolution to do a study of the Police Department, for $50,000, and you passed it, and it was getting vetod by the Mayor that it wasn't needed or unnecessary, that we have a fine Police Department, and I have that here through Councilman Robinson.

We can go back to the history of this Police Department and the Fire Department. When I look at 1942 and see 1,125 police officers at that time and see only apporximately 100 more today the real question of what's happening is they have not been hiring for the lack of manpower. We can look at the Medics, and they have been hiring, more so than they have on the Police or Fire level, and I think that that's a real problem when you don't have a blank check and you don't have the manpower.

I want to say to you I raised the issue of police equiment, and I exposed down in the garage last week the 19 chassis one-ton trucks that are sitting down there. We never had those type of vehicles bought for us before, it always was a van-type wagon, and the more I look at this it was more conspiracy, that's becoming more to what I see was taking place. It's a complete takeover, and that's sad. But to look at those 19 vehicles and to see them just rotting away and try to think it's nothing is a bad state, bad mistake on the Caliguiri Administration.

There's many things I could get into — that's unnecessary — you've heard them all. Why are we against the reorganization? It's because of the way it was done. He didn't include his Department Heads, he didn't talk to his union officials, he didn't talk to his community groups, but he dealt with five people, and one of them, the Administrative Aide to the Department of Police, is very serious in my book. If the Mayor isn't political, I don't believe that. I watched how he promote. I watch him take a four-year patrol officer and make him Inspector in '83, of all your Sergeants, Leutenants, and there's nothing I can do about it because it is not a Civil Service position. I watched him attack and tell the news media he can't manage the firemen because they're Civil Service. Well, we are not Civil Service on the police side from Inspector up, so that is nothing but doubletalk. But there is a difference. I could watch those Assistant Chiefs come in here because they had Civil Service protection and tell it the way I'm doing it today, because I have Civil Service protection as a Lieutenant. I felt bad for my Superintendent of Police, who looked like he was handcuffed between Glenn Cannon on the right and Dave Matter on the left. It was not his budget, ladies and gentlemen. We have a structure in the Police Department, I ask you not to change it. It is something identical to the firemen. It's four Assistant Superintendents and eleven Inspectors. There is no scandal among us. We're not Philadelphia, and I'm proud.

I'm concerned with the violation of the Home Rule Charter, the attack on the Civil Service laws, and I'm very concerned with those new jobs in the budget, and I'm talking 27,000, 37,000.

MICHELLE MADOFF COMMENTS

Mr. McNamara:

Our department has two lawyers walking the streets as Police Officers. I think the firemen have one or two and I think ther's one here today. They were not contacted in this matter. There are many things I can say. We want to work together. The Mayor caused this fire and the firemen are trying to put it out. We want to work together. The Mayor caused this fire and the firemen are trying to put it out. We investigated as police officers to bring to you the way it was done. Don't give us a band-aid treatment; turn it down and form a committee and let's get on with the work of all of us working together. Thank you very much.

Mr. Givens:

Thank you, Mr. President. There's been no doubt in this room where this Councilman has stood on this particular issue, where I have stood on this issue for the past nine years that I've been a Councilman. It was always, regardless of what Chair I had in the particular chair of Council, my first and always, and the oath that all of us take, all the elected officials take, and many of your chiefs take, and that is to uphold the safety and the security of the people of the City of Pittsburgh first, last and always. And I commend Charlie Lewis for coming forward today and giving us his comments, because that adds validity as the Chief of the Fire Department what this is all about.

When you leave this room today you'll go home and you'll pick up your local newspapers, you'll listen to your radio stations and you watch on television what has transpired here today. Let me say that one for the first stories you'll probably look at in the Pittsburgh Press, which is in the Metro edition already, is desperate calls for firefighters safety, that's the first article you'll see, and I think we should have a moment of silence for firefighter Anthony Lundy.

THE CHAIR COMMENTS

Mr. Givens:

That, ladies and gentlemen, is what it's all about. This article so indicates that we're going to maybe do away with the firemen hanging off the back of the fire trucks, and that is dangerous, there's no doubt about it, but what is the purpose of that individual hanging off the end of that fire truck; it is when he gets to a scene, and that particular scene is depicted by these pictures that you just showed the Council, it was flaming inferno and anyone could see it from miles away as they were oming up to that fire, and that pumps excitement and adrenalin into anybody's heart and you have to be a fireman or policeman or emergency medical person in order to understand that, because when that bell goes off and they say "call for duty," then you put yourself above your own life and limb. I submit to you that Tony lundy jumped off that fire truck knowing what he was doing at that time because he had a wrench in his hadn and he was doing his duty. It was an accident that can happen anyplace. Yes, changing equipment might be something we could do.

Today, also, you'll see back in the front page safety merger support wanes in City Council. That's what you're going to read tonight, when you go home, in your paper. Let me say just a couple comments from this. Two City Council members have hedged on their support of Mayor Richard Caliguiri's proposed Public Safety merger, despite the Mayor's offer of compromies. It says that Councilman Jack Wagner suggests that Caliguiri withdraw the nomination of Glenn Canon until after the decision to make the Public Safety Department. It indicates that Dave Matter, Caliguiri's Executive Secretary said the Mayor has no intention of withdrawing Cannon's nomination, the nomination should not be the issue of the merger, and it indicated those Council members Jim O'Malley, Steve Grabowski said they will vote in favor — now this is before they heard all the testimony in here, going back over past weeks reporting — and that Bill Robinson, Richard Givens say they are opposed to the merger, Bob Stone has indicated support for the concept of the merger but said some sort of compromise was needed; undecided, Wagner, Woods, Madoff and Masloff.

I suggest to all my Council

colleagues, some of whom I see have already left before the Council can really get into the questions and answers of what's happening — I call it Pearl Harbor Day because we received in Council a letter dated December 7, that I'm sure some of you are aware of, and some of the speakers here today addressed that particular issue, and it's to Dear President and members of Council. Attached please find an ordinance amending the Pittsburgh Code to reflect the creation of Department of Public Safety. This ordinance should be enacted in the 1985 budget, and it indicates what's going to happen, and I'm not gonig to get into the lengthy thing, but with this three ordinance it replaces the Police Department, Fire Departent and Emergency Medical Services and creates a Public Safety Director who has the direct responsibilities of the Police, Fire and Emergency Medical.

This issue today before us is not Glenn Cannon. I think what I heard, and if I heard it loud and clear, it was the safety of the people of the City of Pittsburgh. That's what you people out here elected us for, that's what these community groups that came before us and spoke about was power, and power, and where's that power invested? It's invested in the Mayor, it's invested in this Council, it's invested in those community groups, and by and large it's invested in you men and women in this room, and you will give probably the most difficult decision making that probably has to be done in any of our lifetimes and that is your own life versus the life of your fellow man, or woman, whichever way you want to do that. You. Not I, not this Council, not the Mayor, possibly not even Glen Cannon or anyone else, but you people in this room are the ones that we invest the greatest responsibility of the City. Half the budget of the City of Pittsbrugh, half the personnel of the City of Pittsburgh come under these departments that have spoke before us today, and that's very ironic. I wonder what is happening to this City, what is happening to our Mayor. Why do we need a Public Safety Director? And as we consider the Mayor's proposed orgnaization of the Public Safety function in our local governmenmt, let us not forget that we are dealing with the first and most important responsibility, and that is what I've just indicated, and that is to carry out the safety of the people.

I was proud. I had no hesitation whatsoever when the Mayor briefed us 30 minutes prior to coming in for him disclosing to the public his proposed 1985 budget. I told him back in that room and I told Bob Stone, who was waiting outside of his office to go in to see him, that this Public Safety thing will not fly. I even proposed that three-headed monster with the picture that you show so depicted right here of this new safety person. I mean, yes, it depicts. What is this monster going to be? What is this person called the Public Safety Director and what his charges are going to be, and I could see because of my own past experiences. I won't delve into them with 21 years as a disaster control officer and police and fire and helicopter rescue pilot in Vietnam. You tell me. And with education in criminology and in public relations degrees, some of the degrees that were spoken out by these gentlemen her, they're speaking from expertise, and I am speaking from a certain expertise also. I said the plan will not work.

I have seen in government where they have centralized and they found out it doesn't work, because when your companies respond to the scene, when car #2 or #3 or #4 responds to the police action going out there, you are on the scene by yourself. There is nobody out there but you, and the policeman can go

into that dark alley, and he and he alone pulls that weapon and knows when he has to aim it and fire it for the safety of others and safety of himself, or to stop a wild person that's been on a killing spree. And, that's a very dramatic scene. How many firemen who have been at the scenes of fire and know babies have died in fires and people have died in fires and thought, gee, if I could only have gotten there, you know, 30 seconds sooner — 30 seconds. That's what it means for Tony when he jumped off that truck and it went back over. Thirty seconds. He didn't know that that wasn't one of those houses where a bunch of kids were living in. That adrenalin goes through you, something that's gone through my body for some 21 years, in this Council that adrenalin continues to pump as you can see by my actions here right now, but this is what concerns me and scares me. It scares the living daylights out of me.

I have to say this place here is packed today with the police and the fire and the EMS and our citizens groups, and today, because anything that so drastically affects the public safety is of paramount importance to the people of Pittsburgh. It's a vital policy in terms if affects the life of each and every citizen of the City of Pittsburgh. Everyone came prepared with a text. I had a little bit of text I felt I should come out with too, because sometimes when you get emotional you forget some of the major points that you'd like to bring out.

We will be discussing many code accounts, transfers, new divisions, many details in the coming days. Thursday possibly we might have a preliminary vote on this particular issue before us. Friday, hopefully at the latest on a preliminary vote. If any of you know in this room when we have a preliminary vote genearlly a person will make up their mind at that particular time and that comitment is pretty devastating and lasting thought the final thing. The only thing that will change that is a veto from the Mayor. If this thing goes in proposed as it is then, or if we go back to the 1984 issue, and the Mayor vetoes the 1984 Departmental Guideline as we know it today, he vetoes that by line item, it takes six votes in this Council to override that veto. If Council puts it in I don't know just what the schematics will be this particular one, if we put it in 1984 and he vetoes it does it takes six votes to override his veto is the question I'm asking.

Let's get back to the more serious thing, what concerns this Councilman, along with everything else. First is the Mayor proposed reorganization and this Council body is losing power. Now we heard Aggie Brose's comments up here earlier, speaking on behalf of the community groups, taling about power. You men from all three services of the City are a power block, there's no doubt about that, if any politician doesn't sit up and listen then there's something wrong with him. Community groups are a power block in this particular City of ours and they pay attention. This Council must pay attention to anyone concerned. Under the present system City Council confirms the appointments of all three leaders of our uniformed services, and that was mentioned here by Bernie and I think it was mentioned by Lt. McNamara. We in this Council, we, your elected officials appoint or approve to the Mayor's appointment these three offices. We are doing away with those three particular offices, and I'll touch on a little bit else that scares me in this government of ours called the City of Pittsburgh. We're done away — the Housing Authority has been created, the Leasing Authority has been created, the Water Authority was created last year, we have the Auditorium Authority just took over the Convention Center, we

have the Parking Authority, we have the Stadium Authority. Ladies and gentlemen, and the people, and the press, this City government through our Mayors have given away everything that this Council here is supposed to enact upon, and, again, we're here before us where we're to give and relinquish again the authority invested in us by the Home Rule Charter and by you the people who elected us to make a decision here by the end of this week saying do we want to appoint our Fire Chief, our Superintendent of Police and our EMS, and in my mind I have no doubts as to where I stood on that from the very beginning. If the people are to elect me to office and give me the awesome responsibility of protecting their safety then I must ask myself that question and ask it very quickly.

The new result is a lessening of Council's input into the leadership and creation of Police, Fire and EMS Service. Second, you hav to go back to a quote of old John Bingler who used to be the past Public Safety Director in 1971, it was very interesting, he said it's so important to the City that their heads should report, meaning the heads of the three branches of service, Police, Fire and EMS — back then it was Police and Fire — should report directly to the Mayor, should be created no other layers of bureaucracy between the Mayor and those essential uniform employees in the City of Pittsburgh. Should we insulate the Mayor's Office from vital input of our uniform service officers? I ask this question here today to everyone in this room. Can we insulate the Mayor's Office from the vital input of our uniform service officers?

If we do accept this plan so quietly and thoughtlessly we lessen the Mayor's accountability to you that are in there today and to the people of the City of Pittsburgh. The accountability is the primary duty of securing the public safety, and we weaken the chain of command from the very low beat patrol officer that Lt. McNamara is representing through the Fraternal Order of Police, to the firefighers that Bernie Burns is representing through Firefighters Local No. 1, and Mr. Schneider of the EMS Services right there, all the way up to the Mayor's Office, we weaken that chain of command. And, third, why the big rush? Why all the security? Why in the past eight years that I have talked, for eight years ladies and gentlemen, I have talked to the Mayor of the City of Pittsburgh asking him to form a safety unit, asking him to form a disaster team within the City of Pittsburgh. Not to put a superimposed Public Safety, it's on the public record. I can pull it out time after time after time. I did not vote for many of the Mayor's budgets because our Police Department, as one citizen so indicated out here, they had no problems with the Fire Department. Do you know why? The Fire Department has maintained their level of service throughout the last 10, 15 years. The Police Department, ladies and gentlemen, I submit to you, have gone from about 1,650 or 1,700 officers down to just a little over 1,000 officers. We have reduced our force by over a third, yet crime continues to rise.

Where were the public hearings and dialogue on such a vital issue? We would not be here today, and probably his Councilman raised all kinds of hell within our own Council because do you know what we had last Monday, this thing was going to be downgraded to a Post-Agenda item when I waved that flag in front of my fellow Council members, and I'm glad they responded, and they did, and they said, Dick, we'll have your public hearing, let's have a public hearing. That's why we're here today. But that has been since the budget has come out.

The hew and the cry for public hearing has been there, because people have been denied due process, and when anyone's denied due process they're going to come out and kick the tires and light the fires, and that's what's happening here today.

Why didn't the Mayor seek the wisdom and the advice of our Police and fire Department and our EMS, and respected union leders. And why didn't he go out in this 1982 proposal to the citizens when it's supposed to say the Capital Budget is supposed to be deliberated in the fall of the year, this fall, and also anything affecting the General Operating Budget. All you people come under the General Operating Budget. There was not one mention to any citizens group about this whole redevelopment and what is happening, and that indicates to me it's very demoralizing, and I think we have a failure of leadership, not at your level of government but up at the most highest sanctum of this government, in the Mayor and the Mayor's office itself, and when the Mayor just sat here just two weeks ago and the man at the newspaper said, oh, he bravely defended his position, yes, he was not here today. The Mayor's Office was invited, the Mayor was invited, and I get deep concerns, I get deep concerns over the fact when people here in this room, from one, Jack Wagner asked a question, what is Dave Matter, what is Dave Matter's job description —

MICHELLE MADOFF COMMENTS

Mr. Givens:

And it was given in this Council chambers, it was given in this Council chambers that he acts like a City Manager. Well, you put a chart up on that wall and it says the City Manager is the guy that runs it all, and I have to ask myself when the Mayor's staff indicates that Dave Matter acts like a City Manager and all departments come to him, then I have to ask myself the question where in the hell is the Mayor of the City of Pittsburgh. That's what I have to ask myself the question of.

MICHELLE MADOFF COMMENTS

Mr. Givens:

Don't worry about losing the audience. We had our opportunity to cross-examine, it was defeated within this Council so we have to live with that. That's always the case.

MICHELLE MADOFF COMMENTS

Mr. Givens:

I think I'll conclude right there by saying enough and the fact that Michelle has just brought out that we started with this hall completely overfilled with probably over 400 some people, with 200 people outside there that this Council did not have an opportunity, by the vote of this Council, and the vote of this Council is coming up again this Friday as to what's going to be determined between this Public Safety, and I'm saying if it goes in two to three years, like I so indicated when Warner Cable came in here, and I was standing here by myself. I said Warner Cable is going to fail, and it failed, and if this thing comes into order, the Public Safety Department of the City of Pittsburgh, it also will fail, because centralization, I have found out in my lifetime experience, does not work. You have to decentralize and give the responsibility to the people that are in the field, the first response team, because disaster can be averted if the people who respond first to the scene of the accident know what they're doing and respond, and, oh my God, how intimately that was brought out by Chief Harpur in a few instances we know nothing about.

How many police situations happended out there where we didn't have major riots because the police knew how to handle a small crowd, or a crowd that was large, and there might be only two officers on the scene at that particular time. Just think about it. We give them awesome responsibilities. Don't dilute this, don't cut the throat and the authority of the Superintendent of Police, and that's what you're doing here because he's no longer the Superintendent of Police. I don't care, all these little adjectives and superlatives that you put in there that we'll give him back his Superintendent, he is not the Superintendent by the ordinance that was submitted by the Mayor on May 7. Make that a big underline, because when we tranfer that position we transfer the power that goes with it. He's a three-headed moster, and a very few cities in this country have a three-headed monster, and I submit to this council that we should not have a three-headed moster either. Thank you.

(END OF REMARKS)

PETITION

We, the undersigned citizens of Pittsburgh, support the Pittsburgh Firefighters and Police. We are asking City Council to delay approval of the Mayor's Public Safety Plan. We want City Council to take the time to carefully examine the Mayor's plan and make an intelligent decision on this plan.

This petition was signed by 18,000 residents of the City of Pittsburgh.

(END OF PETITION)

(REFER TO ATTACHMENT AT END OF MEETING FOR FURTHER INSERTS)

Mr. Givens:

Because of the seriousness of this Public Safety reorganization, I believe this is a serious question about the Mayor's ability to continue to lead the City of Pittsburgh. I repeat that; because of the seriousness of this question, I feel the Mayor's ability to continue to lead the City of Pittsburgh is in jeopardy. This issue strikes at the heart of our sworn oath to protect the lives of the citizens of the City. The Mayor has failed in this vital leadership role. He has been insensitive to the public and to the morale of the uniformed officers. I think Jack Wagner brought that out very strongly in his statement. Therefore, I personally have to seriously consider to challenge the Mayor in the electorial process this upcoming May primary. I cannot sit by and watch the ruination of our uniformed services.

Michelle Madoff:

Are you running for office? Is that what you're saying, Dick?

The Chair:

Michelle, let him finish.

Mr. Givens, may I make a suggestion to you? Can we put the exhibit which contains all of the things you mentioned, in as an exhibit and incorporate them by reference? Because I think we're going to enlarge the Record —

Mr. Givens:

Other than these specific comments that I made, I want those letters which are not very lenghty, they're just one page, —

The Chair:

Include that as an exhibit, then he can incorporate by reference.

Mr. Givens:

The exhibit is one thing. I want the exhibit in there too as an attachment to the Municipal Record. I want the actual statements and those letters that I so mentioned to be a part of the Municipal Record, not an attachment to but a part of the Municipal Record. That is not lenghty; at the most it would only cover fifteen pages.

Mr. Grabowski:

Mr. President, I would make a request that Councilman Givens' request to have all these letters and all this testimony placed in the Municipal Record be placed in the form of a motion and voted upon.

Mr. Givens:

No. That is my privilege; I can do that anytime I want to.

The Chair:

The reason for my concern is that because the Record is going to be enlarged and I think Mr. Grabowski is correct. I think we're going a little bit further than we've ever gone in including it.

Mr. Givens:

I'm asking only that my remarks be brought forward and —

The Chair:

Wait, Dick. Let me finish what I have to say.

Mr. Givens:

— that my remarks and a five minute presentation be brought forward. No one has ever challenged that and we bring those remarks forward because the only records of a final recording that is kept is the Municipal Record that one can come in and get a copy of. Our Finance Committee Meetings are recorded but they are not part of the Municipal Record. If we want a statement from any public hearing, from any Standing Committee, we must ask that they be forwarded to the Municipal Record. That's all I'm doing. We have done this since I've been on this Council and I don't feel it has to go to any vote. That's the privilege of any Councilman to put his remarks or any other remarks that he wants into the Municipal Record. And it's there for historical value as well as to recoup what people did say about this most serious situation that has confronted the people of the City of Pittsburgh, its citizens and the uniformed services of the City of Pittsburgh. As I said, it's the most serious thing that has happened in this Council probably since its creation.

The Chair:

I think the issue is one that needs pointed out so that we don't have the problem in the future. I think heretofore there has never been a request for that much information in the Record and that was the reason I was suggesting that we attach it as an exhibit. Mr. Grabowski raises the point of where do you stop on that issue.

In view of the seriousness of this issue, I would like to ask Councilman Grabowski to leave it at this point and we'll see if we can do something to straighten it out in the future so we can move on. Call the roll.

Mr. Grabowski:

On Bill 1773 I'd like to make a brief remark if that's proper at this point. At the Committee session that we had just prior to this Legislative session there was some heated debate and I think Councilman Givens had a pretty good analogy in referring to his military background and comparing it to the uniformed departments of the City. I know some of my colleagues were a little riled at that but in my opinion he is very accurate in that there is a chain of command that has to be followed. I'm sure, knowing Councilman Givens' personal background, whenever he had to fly a combat mission into enemy lines he was a little apprehensive. But nevertheless, he followed the order of the general or the colonel or whatever officer was in charge. I guess he did a pretty good job; his presence here must attest to that.

Right now the issue before us is, are we going to follow the general's lead and I'm making a comparison to the Mayor being a general or perhaps more appropriately he is the chief executive office of the City. In this case, he is the boss of the City and he is charged and in fact elected with that responsibility to manage the City's business as he sees fit. If he feels that the Department of Public Safety is the best way to protect the City, I think that is his prerogative and we should support his position. I know it is the desire and intent of the creation of this new department to improve the public's safety and I cannot take exception with this purpose. In fact, I am compelled to support it and I just wanted to get those remarks on the record.

Mr. Givens:

Mr. Chairman —

The Chair:

Wait, wait. We are now voting. Mr. Givens, I sorry; we're going to vote as we are and that's what we agreed to do. Let's go.

Mr. Givens:

I appreciate that but when there's personal remarks made I feel that I should have an opportunity to state my position.

The Chair:

Let me handle that. If there's any remarks that were intented to be personal and if they've offended anyone, then I hope that we will correct that in the future. Relative to anyone else, please refrain from —

Mr. Givens:

I don't quite agree with that, Mr. President. I feel that when I was in the military service and I came out as a major rather than lieutenant colonel and the reason I did that was that I didn't always agree with the orders of those general officers up there because in some cases they were not for the betterment of the people and the morale of the units. I stopped dead in its tracks department A1A defense maneuvers that were going on as I was a test pilot out in Edwards Air Force Base, dead in its tracks. The mission was scrubbed many months later because of my comments.

What I'm saying here today, I've been the same in the military as I am in this Council. I've very vocal and I'm for the people, not for myself.

The Chair:

Okay, with those remarks we hope that satisfies you.

Michelle Madoff:

You know, I'm going to make a lot of enemies today which is not unusual for me. I don't know what that applause is for; that's not the enemies I'm going to make.

The thing that bothers me very much about what's happened is that a member of Council, namely myself, was asked to do certain things. I did them and I gave my word. If my word is meaningless then I am nothing. I went to the Administation, I asked for things that were requested of me by the Fire and Police and I got them. In exchange, I gave my word to the Administration and I will not back off of that word. However, I will say, and I've said it before, that the Administration made a very very bad tactical error in it's approach to handling this. — And here comes the part where I'm going to make a lot of enemies. — But in the same vein I think there were a lot of tactical errors made by the Fire and Police officers and their leadership. I'll tell you what I mean. Particularly in Fire, how do you allow safety, the welfare of the firefighters, uniforms, to be part of negotiations? Why was that not brought to this Council? I would be willing to bet anything that if that had been brought by your leader, by the non-union leader is who I'm referring to, Mr. Lewis, to this Council and said that the firemen are not working in safe uniforms, is there one member of this Council who wouldn't have voted for safe uniforms? The answer is that we would have. Now we've got firetrucks that aren't safe that are being brought to us by Mr. Lewis. Did this Council know? No we didn't because, darn it, if we knew you would have gotten safe firetrucks. And I'm tired of this Council being scapegoats. That's a fact and in the future if any member of the Fire or Paramedical —

The Chair:

Michelle, direct your attention up this way.

Michelle Madoff:

— has a problem, there isn't a member of this Council that is not going to be responsive to your needs. And if this system doesn't work out — Fire Chief Harper just told me there is a city where they instituted this kind of directorship and it didn't work and a year later it was removed — if it doesn't work, this is not cut in cement, this is not in the bible. It can be changed but I think we have to give it a chance to work for one year. I vote aye.

Mrs. Masloff:

Since everyone has a statement I have one too. I resent the implication that because we are voting for the Public Safety Department we don't have the interest of the citizens at heart. I resent that implication, Mr. Givens. I have the interest of the citizens at heart as well as everybody else. I have supported the firefighters in all the years that I have been on this Council. I do have the interest of the public and the citizens at heart and I am guided by my conscience and I vote aye.

Mr. Wagner:

I vote no on Bill No. 1773. I'd like to further add that I'd like my comments brought forward from the budget meetings for the Record of December 4, 1984 and from our most recent meeting.

(MR. WAGNER'S REMARKS FROM THE BUDGET HEARING OF 12/4/84)

Mr. Wagner:

Mr. Matter, Mr. Mayor, Mr.

Cannon, I'm glad you're here. Some of the questions that have to be asked can only be answered by yourself and Mr. Matter. I'd like to get back to the thinking process that went into this plan and ask the people who were the people specifically who were the people involved in the reorganizational planning.

Mr. Matter:

We put together a group of internal administration people, the Mayor's Office, Budget Office, the Personnel Department, Law Department and Police Department to develop this plan. Jim Turner chaired that group. He was assisted by his budget staff, specifically Carolyn Morris, on a regular basis; Lou Dinardo participated from the Police Department; depending on the nature of the question that was being examined certain people from the Law Department, including the Solicitor, from our Personnel Department, including the Director, Mr. Schugar the Assistant Director, were brought in.

When the decision was made by the Mayor that he intended to propose the creation of a Department of Public Safety in his 1985 budget message, he asked Mr. Cannon to serve on that Committee because he wanted to propose Mr. Cannon's name to City Council as the Director of Public Safety.

Mr. Wagner:

So, in essence, what you are saying is the top level people, Mr. Turner, yourself, Mr. Dinardo, Miss Smith, Mr. Pellegrini and Mr. Cannon.

Mr. Matter:

With some additional staff help, yes.

Mr. Wagner:

Mr. Coll and Mr. Lewis, then, were excluded?

Mr. Matter:

That is correct.

Mr. Wagner:

Even though they oversee approximately 95 percent of the personnel that will be in this department.

Mr. Matter:

That is correct.

Mr. Wagner:

Are you aware that the course that the City of Pittsburgh is sending our supervision, management to, which is a Management Development Course at CMU, one of the principles taught at that course is that you should consult, when making a decision that has overriding impact over that department, you should consult with the management people in charge of that department?

Mr. Matter:

Typically, I would say that is true. I don't believe it is true in this case. We have gone through a series of reorganizations during the course of the calendar year, in Administration, and we have found, frankly, that anytime you are going to propose change, particularly major change such as we proposed here today, that there is going to be built in institutional, bureaucratic resistance. It is only natural you expect that. I think the fact this room is filled today is proof of that. But, at the same time, we became aware of what we believe to be serious problems in Police and Fire over the course of this summer, and we

decided in order to put the plan together as we would like, it was important to do it at arms length.

We wanted to have people that weren't directly involved on a day-to-day basis reviewing it, comparing it with what was done in other cities, the reorganization structure they have used, and to come up with the best plan we could. I think it is fair to say that everyone who perhaps believed that they had a right to be involved, had they been involved from the very beginning I don't think it would have been possible to even propose what the Mayor has proposed today.

It is unfortunate everyone can't be involved, but there are at least six weeks to two months between the time in which the Mayor makes his proposal to City Council and the date under which you have to adopt a budget for the kind of public discussion —

Mr. Wagner:

I would disagree with that procdure. I think if Mr. Cannon was included, Mr. Lewis and Mr. Coll should have been included. I will go one step further and say that the instructors at the Carnegie Mellon University would agree with that fact.

Mr. Matter:

Mr. Cannon was not included because he is Director of EMS; he was included because the Mayor picked him to be the new Director of Public Safety.

Mr. Wagner:

Is everyone here aware, meaning the four of you, of the last major change that was made in the Police Department and when that occurred?

Mr. Matter:

I'm not sure how you define "major change". I believe our redeployment change a couple years ago was a major change, elimination of a Public Safety Department ten years ago was a change. I don't know exactly what you mean, Councilman.

Mr. Wagner:

Well, what I have in front of me is a study done in 1967, March of '67, by the International Association of Chiefs of Police that was done for the City of Pittsburgh due to the need that existed at that time to consider the reorganization of the Police Department. As you can see, this is an extremely lengthy report that was put together. As a matter of fact, it is about 600 pages, and it goes into the details of every aspect of Police, administration down to the actual person out there on the street, and I'd just like to read the opening paragraph that was directed toward Superintendent Slusser at that time — not the opening paragraph but one statement in the third paragraph. The report itself is a sign of some of the best-known principles and practices in the Police administration and has been designed to meet the needs of the Pittsburgh Bureau of Police.

In putting this report together, the International Association of Chiefs, six police, a professional staff which consisted of 27 members — the reason why I'm bringing this up, I think it is critical whenever a major change is made, and I think a major change is being proposed, that you get the proper advice nationally as to what that change should be. You have not indicated in the reorganization that has been suggested that the same type of professionalism is involved in this reorganization as was involved in 1964 — 1967, excuse me. I

think it is critical. I think it is critical for the Police Department; I think it is critical for the Fire Department; I think it is critical for the Paramedics. Back at that time, and it is indicated right here, under City Government the Bureau was torn by a major scandal in 1964, and I want to mention that, not to talk about the details of it, but I want to ask the question as a follow-up, have there been any major scandals in the Police Department that pre-empted the need for a change?

Mayor Caliguiri:

You mean now?

Mr. Matter:

You mean since that time?

Mr. Wagner:

Yes.

Mr. Matter:

Recently? Not that I'm aware of. I don't think there have been any major scandals — at least I hope there are not — and there have been no reasons for major scandals, if you are talking about scandals in defining of terms in corruption, which is I think what you mean, I don't believe that's the case. I certainly hope that is not the case.

Mr. Wagner:

I agree with you 100 percent, which leads to some of my further points. Could you, any of you, describe to me what the crime rate is in this City today and in comparison to what it has been over the last five years?

Mr. Matter:

I don't have those statistics to give you a comparison year-by-year for five years. We can certainly get them to you. We know some of them off the top of our heads, but I don't think we could give you crime category by crime category.

Mr. Wagner:

Could you give me a ballpark as to whether crime in general has been increasing or decreasing, what areas it is increasing, what areas decreasing?

Mr. Matter:

I am sure Glenn can fill in some pieces. My memory is, the latest indicated is crime overall in Pittsburgh was up slightly, I think about eight percent. That was made up entirely by the increase in auto theft.

Mr. Wagner:

That is not correct, and I have a report to prove that.

Mr. Matter:

If you remove that number I think the increase would have, obviously, been a great deal less than eight or nine percent. I am doing this from memory. I know there were certain crime categories that did show a decline. We can get all that information to you.

Mr. Wagner:

Who on the panel that consisted of five or six people had the information necessary to come to the conclusion that a reorganization was needed because there was a problem in crime?

Mr. Matter:

Well, we had information that lead us to believe that a change was

necessary, not related to crime statistics, though Dinardo certainly had all that information and made it available to the committee members, but rather we needed to enhance their capabilities; we had to provide management improvements and a new division or branch of administration that could assist them in improving training, communications, dispatch, statistical analysis. These things are not solely related to increases or decreases in crime data.

Mr. Wagner:

Would you, Mr. Mayor, Mr. Matter, agree that there has been a decrease in crime in this City in recent years?

Mayor Caliguiri:

In certain areas.

Mr. Matter:

And in certain years. I think it is probably fair to say there has been a levelling off. I think there has been some decline, and, obviously, we are very happy about that. We know the immediate reaction when there is a decline in crime; conversely any elected official can take credit for that.

Mr. Wagner:

And we all have taken credit for that.

Mr. Matter:

I'm not sure that is entirely fair because we don't always know why there is a decrease in crime. Sometimes it is a result of outside factors, sometimes because the population is aging. There are a lot of things that go into crime statistics.

Mr. Wagner:

I would suggest to you this report knows all the reasons and did know the reasons in 1967 prior to a major reorganization.

Mr. Matter:

What I am trying to point out, I think we need to build that capacity into our Public Safety functions. We do achieve good. We know why, and when things aren't going too well we know why also.

Mr. Wagner:

That is specifically what I'm getting to. Why the reorganization and the information behind it that suggested the need? I'd like to ask one other question. What are the statistics in the Fire Department that would support the need, in terms of fires, for the reorganization? What have the statistics been in the past? I am just asking a general question.

Mr. Cannon:

I think in Fire, looking at fire nationally, Fire Departments are down nationally. That is something that is occurring across the country. The number of fires are down nationally across our country. It is not unusual in Pittsburgh.

The changes in the Fire Department are management changes that will allow some management within that organization. Those are the changes in Fire. That is not to say that those kind of things don't need to be looked at; they do. But I think we need to keep a handle on those things.

Mr. Wagner:

The reason I'm asking all these questions, I'm just trying to support the position that I took originally that the right people were not involved in the organizational plan. I'm sitting here and I know the statistics better than you do, and I sincerely mean that, and I will go one step further and ask a very important question. Getting back to the Police Department, would you agree that the Police Department literlly operates with its hands tied behind its back due to the fact that a court system and the lack of jail space lets criminals back on the street within 24 hours?

Mayor Caliguiri:

Obviously it is a detriment to their fighting crime, and you have a situation in Allegheny County; they don't have enough room to put the criminals in. You find criminals being let out or put on a minimal bond so that they can walk the streets. Certainly that is a hindrance to fighting crime, and it is discouraging, too, Jack, to find that situation prevail as it does, not only with that situation locally but I'm sure some of the laws that come down binding police officers nationally. So in that respect, sure.

Mr. Wagner:

Well, we both agree there, and that is a very serious morale problem within the Police Department. I don't know if it is known to the degree which it is a serious morale problem. It is there. It is with every police officer out on the street.

The other problem, the police department hasn't sufficient numbers. We all know there are budgetary reasons, and I understand those, Mayor, and I understand that we can only hire so many people in certain professions. I understand that completely. I also understand that we have a quota system, and instead of going at the top of the list we have to come down the list 300 or 400. The point I'm trying to make is that with all of these problems that exist and the hurdles that the average police officer must get over out there on the street, we have amazingly reduced crime in this City, amazingly, and the point I'm trying to make is that there is a department and I have to admit in front of everyone in this room I have looked more into the Police Department than I have any department, the EMS or Fire Department and specifically because I felt that no one else was doing that, but I am finding out that we have accomplished exceptional things in the Police Department and at the same time we have excluded them in the management decision process in the forming of this department. That disturbs me.

I could talk about specifics, which I would like to talk about, and I'll hit on briefly; the auto theft problem. Mr. Matter, you made the statement that auto thefts went up 77 percent last year. I just want to make the statement publicly that is not true. They did not go up 77 percent last year. I have here from Mr. McNamara a report from our own Police Department dating back to 1979 and it gives each and every year, and back in '79 there were 6,167 cars stolen in '79. In 1983, there were 5,170; for 10 months of '84 there are 6,677, so based on the projections of this year that indicates to me that there is probably going to be about a 20, 25 percent increase.

Now, let's talk about something else. Let's talk — and, Mr. Turner, you're shaking your head, and I have the report here right from the Administration.

Mr. Turner:

That may be but what we are quoting are national statistics. Over a period of time, I believe the time period involved that you are quoting, I'm not familiar with what you were given, but there is nothing accurate. I am not —

Mr. Matter:

He is not saying these are figures from the nation; he is saying these are FBI figures prepared for every city across the nation, including the City of Pittsburgh, which shows the 77 percent increase. It is probably a different report, but it was one FBI reporting period as opposed to the previous FBI reporting period.

Mr. Wagner:

I want the figures today. I want the newspapers to print this, that there is not a 77 percent increase and, Mr. Mayor, you are getting bad information.

Mayor Caliguiri:

I hope that is correct.

Mr. Wagner:

It is correct.

Mayor Caliguiri:

I know what you're saying is, Jack, but nobody is here saying let's hope it's 77 percent so we can prove a point. I hope it is half that, or seven percent.

Mr. Wagner:

It is that. There are things being done in this police department that are not realized, and I am going to stay on the auto theft for a few seconds. I have here an article from a Wall Street Journal that I'll share with anyone in the room, and the number of recovered stolen vehicles, the national average is 50 percent. Does anyone know what the national average is in the police department in the City of Pittsburgh of recovery?

Mayor Caliguiri:

It is lower than that.

Mr. Wagner:

It is 73 percent and it is estimated. I am saying, and please let me speak, I am saying that it is 50 percent nationally and it is 73 percent in the City of Pittsburgh.

In addition to the 73 percent, it is estimated nationally tha 10 to 15 percent of all stolen vehicles are fraud by the owner. You put that on top of 73 percent — Fraud by the owner of the vehicle, dumping the car in the Monongahela River or burning it, where you have to go out and fight the fire. You put 10 to 15 percent on top of 73 percent and we're up at 85 and 90 percent, not recovery rate but potential recovery rate, including the fraud. That is not a problem in the City of Pittsburgh, and what I'm saying is the committee that came together to indicate that major changes have to be made in the Police Department don't really know what the problems in this city are, at least in the police end of it. That is the area I have looked into. I am going to ask another one. What is the major crime problem in the City of Pittsburgh?

Mr. Matter:

Anybody can find what the major crime problem is to their own liking. To a woman that has been raped it is rape; to the family that lost someone because

they were murdered, it's murder; to the home that has been burglarized, it is burglary. I don't know how you give an answer to that problem unless you know what the problem is.

Mr. Wagner:

You haven't touched on any of it. I am going to state publicly what the major problem in the City of Pittsburgh is and it is national, it is narcotics, and we as a city have not made the commitment; the guys out there working in the Narcotics Branch have made the commitment. They are putting their lives on the line every single day, breaking into houses where junkies have guns and they are shooting them. We as a city have not made the commitment. How many narcotic agents do we have in the City of Pittsburgh?

Mr. Matter:

Mr. Coll?

Audience:

They didn't consult you before, Bob; don't tell them now.

Mr. Matter:

We are not going to have all the statistics at our fingertips. We are going to ask the Police Superintendent.

Audience:

You didn't ask him before.

Mr. Wagner:

The Police Superintendent was not part of the reorganization.

Mr. Matter:

I understand that but you are asking for statistics.

Mr. Wagner:

I am talking about the number one problem on the streets, the fear, the parents with the children in the schools. It is everywhere. I'm talking about who on that group of people addressed the number one crime problem in this city in the reorganizational plan of the Public Safety Department?

Mr. Matter:

All I can tell you is the committee was composed of the poeple already identified. Lou Dinardo was a member of that committee. He has access to and is responsible for a great deal of the statistical information that you are now quoting that we don't have in front of us, and I'm sure either he or Superintendent Coll could answer specifically the statistical question you are raising. Mr. Dinardo was a member of that committee, was familiar with the problems within the department, had at his disposal statistical information that you are citing, and that was used in the reorganization plan that was developed.

Mayor Caliguiri:

Jack, part of the reorganization plan is to begin to analyze the same concerns you have. Obviously we are not unaware drugs are the major problem; I hear it all the time and we are fighting it all the time. One of the reasons for the reorganization is to compile statistics not at our fingertips, not in our heads. Obviously we recognize here in Pittsburgh, Allegheny County and the suburbs, and everywhere else, and we've got to continue to fight it, and we have, obviously, a feeling that this administrative branch will begin to put together statistics, will begin to show us where we should put our resources, and

the Department of Police will carry out those resources with the Detectives we have. If we need more there we will continue to put more there. Drugs are not a low priority in the Department of Police in terms of combatting them.

Mr. Wagner:

Mr. Mayor, do you know how many there are, how many narcotic agents in the City?

Mayor Caliguiri:

Not off the top of my head.

Mr. Wagner:

I will enlighten the group; it is 12 and I have known that for a considerable period of time, I just didn't find that out. We have one percent of our police department devoted toward the number one crime problem in the City of Pittsburgh. That disturbs me. That disturbs me in a reorganizational plan that does not emphasize what I consider to be the problem that needs to be emphasized. If I can have any input with this Council, and I hope to, that will be at least doubled in this budget. There will be at least four more narcotic agents in the City of Pittsburgh, with or without a Safety Department.

I am no police expert, but I think I know something about public safety, and I'd like to just further add, pertaining to the narcotics situation that many, many of the crimes in this City are related to narcotics, and we are talking about burglary, we're talking about robbery, we're talking about vice. That is a critical element in the City of Pittsburgh, critical element, that must be addressed in terms of the crime problem. We have to increase the numbers. We have a fund available, we had last year, of $30,000 towards the purchasing of narcotics by our officers out there. I know that has been proposed, Mayor, the $45,000 in the budget. I think that is important. I'm glad to see it's been increased. I think it should be double what it is, it should be $100,000. If we can't go out on that street and make a purchase for $25,000 we can't get the person that is controlling the narcotics in this City. We can't make a purchase for a hundred bucks or two hundred bucks and address the crime problem that exists. And what I'm saying, this reorganizational plan does not address it.

I'd like to ask a couple other questions. Mayor, I know I have asked you this privately, and I think it is necessary to ask you publicly, do you support the concept of the Police Director not reporting to yourself?

Mayor Caliguiri:

Not reporting directly —

Mr. Wagner:

To you.

Mayor Caliguiri:

Well, the way the organization plan is set up, Jack, is that the Superintendent would report to the Director.

Mr. Wagner:

I think it is critical, and it is important for me to state this publicly. We know the amount of problems that exist on the street in terms of police officers attempting to be influenced by the criminal element. It goes on on a daily basis. That's the reason why I wanted to state earlier that it is miraculous that in this City we have not had problems internally along those lines

within our Police Department. That says something very positive for Superintendent Coll, for his Assistant Superintendents, and particularly Superintendent Steve Joyce that heads up the detective branch. Those people have done an excellent job to keep corruption out of their area of the Police Department. It is so critical I don't know how I can stress it enough. So, in other words, Mayor, what you are saying is you are supporting the fact that the Police Chief does not, or Police Superintendent does not have to report directly to you. And the reason?

Mayor Caliguiri:

On an on-going basis, Jack. On a day-to-day basis, that is correct. But it is not that there will not be any input or dialogue between me and the Police Superintendent — I'm sure there will be. In fact, I'll insist upon that, that there be dialogue between the two of us. Just because there is going to be a Director of the Department does not mean I, in any way, am going to cease having discussion with these people, whether they be the Fire Chief, Police Chief, or what have you. I am sure those discussions will continue to go on, but on a day-to-day basis that input won't be there.

I hope this will strengthen their position but to say that it is going to eliminate any relationship, absolutely not. There will continue to be a very strong relationship between the Police Superintendent and the Mayor and Mayor's Office because of the sensitivity and the concern in this area of crime and police. So, yes, your question, there is not going to be — I am answering you, Jack, by saying the day-to-day operation will be the responsibility of that Director, but in terms of having relationships, absolutely, the relationships will continue with the Mayor's Office.

Mr. Wagner:

Well, the only point I would like to suggest, Mr. Mayor, is that the more you insulate yourself from that department the greater potential there is for an influence from the criminal element, and I mean that in all sincerity. And that is recommended nationally. If there is ever problems in government, the number one problem in government is related to that, and I think for that reason it is critical, it is critical to have that individual continue to report directly to yourself.

It is also critical for the individual in charge of the Detective Branch within the City of Pittsburgh to continue to be close to or report directly to Superintendent Coll. I want to make that statement, and they are doing an exceptional job. I think there is a need for the group of people that have sat down to suggest this department to look at it in more detail with more facts. I have tried to emphasize here at this table some important elements that have not been brought into the picture. I think they would have been brought into the picture if Chief Lewis and Superintendent Coll would have been part of the reorganizational plan. I think a better plan would have been developed, not necessarily the same plan that has been suggested and again I suggest that you sit down with those people and you look at what has been proposed, you ask their opinions, what has been proposed, you ask if they think changes should be suggested to the plan, and you come back to this Council with a plan.

I would like to state further, everything I am stating appears to be negative. I know that, Mayor, you have recently made a commitment to address the Workmen's Compensation problem that we have in the City, and to state

publicly that problem exists, number one, in the Police and the Fire Departments. I commend you for that effort. I commend you that you have gone out and hired a safety professional that is already on board working within the City. I can't stress enough the importance of that to the firefighters in this room and the police officers. It is a real financial burden on this City, in the amount of $14 million a year. I think the Mayor made a sincere effort along that line to address that problem. He needs all of your help. I have no further questions.

Mr. Matter:

Mr. Chairman, I'd like to beg your indulgence and the indulgence of the other members of Council. I know we have been here all day, but I think it is important to correct the record. I hesitate doing that. I am directing this to you, Councilman Wagner, because I value your opinion and our relationship. I hope it will continue to be a good one. But, I want you to know I resent very strongly, as does the Mayor, the statistics that you put out today relating to auto theft and statistics that you questioned that we put out. We were at a distinct disadvantage because we did not have the facts in front of us, but were more or less relying on memory; whereas you had a form in front of you.

Mr. Wagner:

Let's clear the record.

Mr. Matter:

May I finish? Then you may have an opportunity.

Mr. Wagner:

Let's clear the record then.

Mr. Matter:

We stated that auto theft had increased in the City of Pittsburgh by 77 percent. We had time during the break to get the FBI statistics for the City of Pittsburgh comparing 1984 to 1983. These are nine-month totals, that's what was compiled on the form. It shows a 76.6 percent increase in auto theft in the City of Pittsburgh from 1983 to 1984.

In addition to that we have FBI statistics for the first six months of 1984 compared with the first six months of 1983 for major cities in the country. It is interesting to note for the first six months of this year, the increase in the City of Pittsburgh was 77 percent, and that increase was continued through the next three-month period for a total of 77 percent for the nine-month period. Other cities, Baltimore increased 24 percent; San Diego 23 percent; St. Louis 7 percent; Indiana 3 percent; New York minus 3 percent; Tennessee minus 5 percent; L.A. minus 7 percent; Minneapolis minus 8 percent; Denver minus 9 percent; Cincinatti minus 12 percent. If you don't believe there is a serious auto theft problem in the City of Pittsburgh you're not looking at the statistics. You are ignoring the problem, Councilman.

Mr. Wagner:

Let me respond to that. My statistics are more recent than yours; mine are for six months of 1984.

Mr. Matter:

I have nine months.

Mr. Wagner:

Mine are six months.

Mr. Matter:

I gave you the nine months.

Mr. Wagner:

Mine are for nine months and mine come from Superintendent Coll's office, which I obtained from Mr. McNamara, and I know they are accurate, and it is not 77 percent, and if you have a calculator you can run the figures off right now and as a matter of fact, one of the reporters in the City of Pittsburgh indicated that the figure 77 percent was wrong, and so was my figure, which I estimated to be between 20 and 30 percent. The correct figure is 55 percent to be exact, for the first ten months of that year, in comparison to last year. Now, I don't know what that says, but what it does say, the way I see it, is you were wrong and I was wrong.

Mr. Matter:

I don't think it says that at all.

Mr. Wagner:

I have my statistics. Let me continue and you can state figures from other cities, but you know you can do a lot with figures.

Mr. Matter:

I am just taking the FBI Crime Report.

Mr. Wagner:

You can do a lot with figures. You can talk about minuses, plusses, but you have to start with a basic figure, and when you start with a basic figure you have to compare that to population, and you have to compare it to the previous year's figure. Minus three means nothing if that comparable population of the same size, their figure last year was double ours, so that doesn't wash with me.

Mr. Matter:

Would you like some of those numbers?

Mr. Wagner:

I don't care. I really haven't requested them. You can have the floor if you want, but let me go beyond. I also have a recent article of a Wall Street Journal that I will share with you, or with anyone, and talk about the recovery rate of those vehicles, a national survey, and this is good information, recovery rate is 50 percent; in the City of Pittsburgh it is 73 percent. The Administration has not mentioned that figure, and I think that says a tremendous amount as to the type of effort devoted by the Police force to recover vehicles.

Now let's get to the real heart of the matter. Is it possible to prevent this from happening to any great degree?

Mr. Matter:

Well, I believe it is.

Mr. Wagner:

Well, I believe it isn't, as much as you think it is. When you consider the amount of manpower necessary to do that, and when I say that I am comparing it to a very serious problem, such as narcotics, that I talked about the entire day. Now are we going to put 12 full-time officers out there to address the auto problem or 12 full-time officers out there to address the narcotics problem? I was trying to stress a very important point here; if the emphasis of the City of Pittsburgh towards crime prevention is

on auto theft we have our heads in the sand.

Mr. Matter:

I disagree with you.

Mr. Wagner:

You can disagree with me, but everyone in the City will agree with me that narcotics is the problem and that has never once been mentioned until I mentioned it here at this table. And, the point I was trying to bring out was not to dispute figures or percentages; the point I am trying to bring out is where the emphasis or direction should be devoted and it is not towards auto theft. We are doing a decent job there in that area. Maybe it's not 100 percent recovery, it's 73 percent — maybe it's up this year, 55 percent — not 77 percent, 55 percent, but I think the emphasis should be devoted to another area. So, you can dispute my figures, I can dispute your figures. I think whatever we come up with isn't important.

The last thing I want to see is a directive coming out of this Administration to the Police Department where 1,000 police officers are devoting their time towards auto theft. I would like to see a directive coming out of the Administration where 1,000 police officers are devoting their time towards narcotics. I have not seen that, and I will be looking for it.

Mr. Matter:

Can I respond to your questions?

Mr. Wagner:

Yes.

Mr. Matter:

The figures we provided, the figures the Mayor cited, that we cited at the table this morning, were FBI statistics. It shows a 77 percent increase for the first nine months of 1984 compared with the first nine months of 1983.

Number two, when you gave the information that you thought it was between 20 and 25 percent, the reason you did that is because you compared 10 months of '84 against 12 months of '83. You calculated that number — if you have your calculator you will find out in fact that's what it will show.

Number three, you were trying to demonstrate that our numbers were wrong, because you said specifically to me, "Mr. Matter, you're wrong. Members of the news media, the press, I want you to write this down, it is not 77 percent, it is more like 20 or 25 percent," so you made a point of trying to demonstrate the numbers we had used were wrong. Let me answer.

Mr. Wagner:

No. You are not going to answer why this Administration never indicated that this police force in this city has recovered 73 percent of the autos stolen. Why in all your news releases hasn't that fact been brought out?

Mr. Matter:

That is exactly what I was going to raise.

Mr. Wagner:

Why? I want to know why. Why all negative? Why not some positive things about this Police Department?

Mr. Matter:

I think it is excellent that we have it.

Mr. Wagner:

And I stated it today, and if I wouldn't have stated it it would have never been stated.

Mr. Matter:

I think it is excellent we were able to recover 70 percent of the vehicles that were stolen, but to quote you just a few minutes ago, what we should be about is prevention. That's what you talked about on the river; that's what we are talking about here. We believe that there are programw that can be implemented that other cities have implemented that can help prevent auto from being stolen. I think a citizen is grateful to have his or her vehicle returned, but I think they will be more grateful if it weren't stolen in the first place, and, number two, it certainly depends on what condition it is in when it is returned. To get a car back, to have it entirely stripped, I don't think the citizen is too happy about that, but I'm not trying to minimize the work of our Police Department in recovering stolen automobiles. They obviously do it very well and above the national average.

We did not put out false statistics this morning. What we put out was, indeed, accurate.

Mr. Wagner:

According to my statistics, they were false statistics. I'm glad to hear you say that 73 percent figure was above the national average.

Mr. Matter:

That is correct.

Mr. Wagner:

The important point here that has to be made is, unless you say positive things to people you will not get positive things in return. You cannot be constantly negative.

Mr. Matter:

That's why we issue commendations.

Mr. Wagner:

You can't be constantly negative, and I have heard nothing positive said about the Police Department in this City for a long time, and it's about time some positive things are said. When we came out in this reorganizational plan I heard nothing positive, and I am looking for things that are positive and I am having no problem in finding them.

Mr. Matter:

There are many things to be positive about. What was asked was what were the motivations for the creation of the new department. We weren't motivated to create the new department because of positive things; we were motivated because of the negative things. Naturally those would get the attention.

The Chair:

I think both of you have made your point quite well. Thank everybody for staying.

(END - MR. WAGNER'S REMARKS FROM 12/4/84)

(MR. WAGNER'S REMARKS - PUBLIC SAFETY, PRELIMINARY VOTE - 12/21/84)

Mr. Wagner:

Mr. Chairman, members of Council. The major issue is no longer whether or not a public safety department is created. The issue is now the morale and the ability of 3,000 employees to work together to protect their own lives and the lives of all citizens that live, work, play and worship in the City of Pittsburgh.

With or without a new department, if morale is low within the Police, Fire and EMS, the goal of these departments, which is to save lives and to save property, will not be accomplished in the manner in which it should be accomplished.

We as a City have created a problem within the last month. I indicated that problem back on December 4th at this table, and it began with the violation of a basic management procedure. The procedure which was violated was that we excluded in the formulation of this department the two most important people in those departments, meaning the directors of the Police and Fire Department. The directors of the Police and Fire Department of management people. They are non-union people in the City of Pittsburgh.

If a basic management principle would have been followed, and the plan that is in front of us today, meaning if Mr. Coll and Mr. Lewis would have been part of the planning of this new department, and they would have come out front in support of what was proposed, maybe not this plan, but maybe something that was altered, if they would have come out in front, I am certain that they would have had the people within those departments behind them. We know that basic management principle was violated. That's a terrible thing. It's a terrible thing within any organization, including this government. It's even worse because it happened in the two departments that are the largest departments in the City of Pittsburgh.

Now since that happened, since this proposal has been put in front of Council, there have been some things happening. I mean there have been some changes to the original proposal. I know Mr. O'Malley has worked hard in terms of bargaining with the Administration to get some things changed. We listened to many of the concerns recently at a public hearing from both the Police and the Fire. A lot of horrible things have been said. A lot of things that all of us wish would have never been said. We know that morale has been harmed. We know that we have come this far. We're sitting here at this table. We're still disagreeing. We have firefighters in this room and police officers in this room. We know that there is still a disagreement between the Administration and the people that work within those departments.

We have come this far. We have to go one further step. There will be a final vote on the creation of this new department a week from today. We have all worked very hard to try and get the parties to agree. Just prior to this meeting, all of us realized we had a meeting in Mr. Stone's office with the various people from the two departments. We talked about several things, several areas of compromise, several concerns. I personally think that all members of Council, those three departments and the Administration can still reach an agreement between now and next Friday. We all see what is

happening here today and we all know what has been done wrong. I personally think that we, both sides, meaning the Administration and the Departments, can bend a little further. That is my goal. That's the reason I have abstained from my vote today. I believe that all the facts and all the changes that are necessary in the creation of a new department are not in yet. I think there must be continuous intensive meetings between this Friday and next Friday to make sure that this proposal, whatever it ends up to be, is in total agreement with the Administration, the two departments, and this Council. That is the only way we will correct — and this is the most important thing I have to say — this is the only way we will correct the damage that has been done in terms of morale. We have not reached that point of agreement. And we all see what is happening here today. We all have to continue to sit down and meet, meaning those departments, those unions, those directors, with the Administration, prior to next Friday. I would love to see Mr. Burns and Mr. McNamara and Mr. Coll and Mr. Lewis say that they agree along with the Mayor. I believe that can be accomplished. I believe that can be accomplished. With some of the things that we talked about today, I believe the Administration must bend a little further, and I sincerely mean that. That must be the goal of anyone and everyone involved in this, and I am hoping that that can be accomplished within the next week.

(END - MR. WAGNER'S REMARKS - PUBLIC SAFETY, PRELIMINARY VOTE - 12/21/84)

Mr. Wagner:

My final comment on the issue is that this item of public safety should never have been in front of this Council. It should have had the support of the management system prior to this Council ever having to vote on the issue.

The Chair:

This is the first opportunity that I've had to explain my vote and I'd like to explain it if I may. Anyone who can count knows that there are five votes already relative to the Public Safety directorship and department. They will know that my vote will not change that result. I would like it known however that my vote has been a consistent vote, a vote consistent with my actions on this issue. Out of the limelight of the press but yet knowledgeable to the press, knowlegeable to Mr. McNamara, knowledgeable to Mr. Burns, knowledgeable to Mr. Schneider, and knowledgeable to the Mayor of the City of Pittsburgh, since the first day that the Mayor's proposal was presented to City Council I have attempted to meet with these individuals and try to have them communicate with one another in an effort to come back with a compromise that is acceptable to all of the parties and those parties affected. Those discussions were during the day, they were during the nighttime and on weekends. I would like to believe that during the course of those negotiations that I had the belief that they were being treated fairly from Mr. Burns, Mr. McNamara, Mr. Schneider and the Mayor. Somewhere along the line it was mentioned that they had never had a meeting and through my efforts we were able to have a meeting held last Friday for them to discuss the issue. As has been said many times in this Council, those who are affected should have been working it out and more discussion is in the best interest of all.

I think that the reason the meeting was held, in fairness to all parties, was because heretofore all of them were able to get along. All of

them worked together in cooperation. They had problems previously and they, when working together, were able to resolve those problems. It is because of that reason I believe that I was able to have a meeting held by those parties.

At the very time that they were negotiating in the other room last Friday, there was an attempt to have City Council vote. I do not know how I in good conscience can ask the people to negotiate and while they're in there negotiating trying to find the results and a compromise, be voting here. I indicated that I would not vote so long as they were negotiating. I preferred that the vote would have been held on Saturday.

There is no issue now on the votes that we have before us relative to the budget, relative to the Public Safety directorship and I don't think there is any question that the Mayor has the right to have a Public Safety director if that's the way he feels. But there should be a coordination of all forces. There is no question of that. I think everyone has even said it here. The question is how and which way it should be done.

I think the issue that got lost in this whole thing and is the reason I attempted to do some negotiation is the fact that we have 365 days to go in which all the affected parties have to work with one another. It will be eight hours a day for 365 days; if they're working one shift and it's three shifts it's almost 24 hours for 365 days. It is my believe that no one can possibly resolve all the issues when everyone's uptight and when everyone is watching one another, looking for mistakes. In that light, I then began, as I told you, and I saw this issue when the budget proposal was made, and I then attempted as I indicated to begin a process whereby we might be able to find some mechanism where they might be able to meet to discuss the problem. That meeting was held, and I consider that a major step forward. Regretfully it didn't come earlier, regretfully there wasn't more time for them to carry out the negotiations. I think all of them having been in negotiations would understand that somewhere along the line you don't get it your way all the way and the other party doesn't get it their way all the way and we try to resolve it.

So, my vote as a yes or no today really would be inconsistent with what I've attempted to do and it would not be an indicator of having intestinal fortitude because I don't think anyone will deny me the possession of that right. But at the same time, I would like to believe that I still have the respect of Mr. McNamara, Mr. Burns, Mr. Schneider and the Mayor and I think it is important because there is another source that sometimes is looked over in this situation and I'm sure that everybody is concerned about it and aware of it but I'd like to bring it to prominence more and that is the citizens of the City of Pittsburgh. They are entitled to the best we have to offer and the best we have to offer in the future, whether we like it or whether we don't, is to attempt to work it out the best we can.

I would be kidding myself if I believe there will not be additional problems in the next 365 days. As I indicated, I'm counting on the fact that I still have the respect and trust of those affected parties and the reason for taking an abstention vote on that issue is the hope that I stand ready, willing and able, to attempt to see whether or not in the future we can still bring those parties closer together.

That explains my vote last week and my vote today.

Mr. O'Malley:

What is your vote?

Michelle Madoff:

Abstention.

The Chair:

No. Relative to the Public Safety director position I took an abstention vote and I explained why. Relative to my votes today, having been a Finance Chairman, one cannot vote against the entire budget because the budget is never all of what I want nor all of what each of you want. We must have a budget passed and in that light I have no alternative to pass the budget and vote yes. But as I indicated earlier, and I cannot undersell that, I think the importance is working together in the future and so far I've been able to work with those individuals and I hope they will still accept the offer that I make. As I indicated, I stand ready, willing and able, to meet with you and bring you together as I did that day to be part of the negotiations to work with Council in an effort to do what we can. I think that's most important in this light.

Mrs. Masloff:

What's your vote?

The Chair:

Aye.

Mr. O'Malley:

Is that aye on the budget but an abstention on the Public Safety director position?

The Chair:

No. Relative to the budget I'm voting yes. There are things in there that I wanted in there and there are things in there that you may have wanted in there or someone else. I voted yes.

Mr. O'Malley:

I want to make a point of order here. One, there's a lot of things in that budget that all of us want in there. I think you owe it to this Council, I think you owe it to every man sitting in this room and you owe it to the Administration to either vote it up or vote it down and to give your reason. An abstention vote on that is a show of a lack of courage and if you do that I'm going to ask for your resignation as Council President.

The Chair:

Mr. O'Malley, you apparently didn't hear my vote. I am voting yes on all three bills.

Mr. O'Malley:

I heard your vote. I don't know what your vote is; these 300 men here don't know what your vote is. Either vote it up or vote it down.

The Chair:

I voted yes on the three budget items.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Grabowski	Mr. O'Malley
Michelle Madoff	Mr. Robinson
Mrs. Masloff	Mr. Stone (Pres't)

AYES 6 NOES 3

(MR. GIVENS, MR. WAGNER AND MR. WOODS VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1774

A Resolution entitled, "Resolution Adopting and Approving the 1985 Capital Budget and the 1985 Community Development Block Grant Program."

Which was read.

Mr. Robinson:

On Council Bill 1774, as Council is aware, I offered some amendments to transfer some projects from the Urban Redevelopment Authority to the Planning Department. I do believe that there is an issue that must be resolved with the URA and that is the issue of what type of relationship, what type of accountability, does the URA have to the City of Pittsburgh. I think the project in question, Herr's Island, Pennsylvania Brighton, the OIC Program and the Greater Pittsburgh Development Corporation Program, are examples of projects that the URA is attempting to operate perhaps without fully exploring with this Council and the Administration the issue of accountability and responsibility. It seems to me that it would be in everyone's best interest to temporarily transfer those programs from the URA to the Planning Department and then before we sign a cooperation agreement with the URA, do an analysis of these projects and also to resolve any outstanding issues with URA so that we can determine which agencies inside City government and outside City government are best qualified to operate the program.

I do hope that on final vote members of Council will give consideration to my recommendation and they will alter the conditions of Council Bill 1774.

One last comment, if I might, on the matter of taxes. As Council is aware, I've been an advocate of reducing the Amusement Tax and one of my proposals in my tax package does that. I'd just like to submit for the record another letter from an organization and an individual specifically in the City of Pittsburgh who would like to see us reduce the Amusement Tax. I plan to continue to pursue this issue and I hope that members of Council will be considerate of any proposals brought forward. Thank you.

(LETTER REQUESTED BY MR. ROBINSON CONCERNING AMUSEMENT TAX)

Robert L. Hawes
General Manager
The William Penn
Mellon Square
Pittsburgh, PA 15230

December 18, 1984

Dear Mr. Robinson:

I am writing to give my support to your amendment to reduce the local entertainment tax from 10% to 5%.

I feel this reduction in tax will

greatly help the City, as well as the The Westin William Penn, generate higher revenues from the entertainment sector.

Please let me know if there is anything we can do to assist you in reducing the entertainment tax.

Sincerely,

Robert L. Hawes
RLH/law

(END OF LETTER REQUESTED BY MR. ROBINSON)

Michelle Madoff:

Mr. Chairman, before we vote final vote on the budget, I would like to make sure that some issues do not fall through the cracks and that they are followed through on. One relates to the issue that Councilman Robinson just raised, and that is the allocation of the $4 million, how it would be spent. We were supposed to have a meeting with the Mayor and I would hope that at some point into January —

The Chair:

We are attempting to set up that meeting in early '85.

Michelle Madoff:

Sometime, perhaps early February or late January, there's going to be so much going on that it may be appropriate to do it in February but I trust your judgment on that.

The other issue, sir, is that I have a motion before Council that I tabled so that it would go to the Law Department and to the Administration for their input. There seems to be a lot of support for it and that is to change from a calendar year, from January to January, to a fiscal year to be determined by the Administration, either the first of July or the first of August. The reason for that being that with the holidays it is just so difficult under that pressure to really address alot of the issues that become very volatile. I think we could do a much better job if we weren't under this kind of pressure and there seems to be a lot of sentiment for that including people in the Administration. So, I would like to have that followed through and Mike, would you send a letter to Mr. Dan Pellegrini; he was to supply us within two weeks with some input as to how the Administration would look on that and tell us where they're going with it, just give us an update.

On the issue of regressive taxes, I would hope that we would start looking at lowering some of the taxes, particularly amusement, business privilege, and mercantile tax, because unless we do that, with the billion dollar debt burden that we have in this City and the subsequent debt service each year, a budget well over $200 million now, we're really putting our children in jeopardy. We need to get money to put 105 police back on; this Council has wanted to do that. There is some really hard looks at that budget that we need to take and I would hope this Council would very seriously think about a fiscal analyst, not jeopardizing anybody in our Budget Office but someone who would be analyzing the kind of things that we do every day — when budgets come up they call for money, everything does, 99.9 percent of it — so that we can promulgate our own budget three or four months before the Mayor does, give it to the Administration and let him reconcile the two budgets. I think that would be very productive. That is the way it is done in other communities, very effectively to the point where they save millions and millions of dollars by some simple little action that happens. For

example, three people who served on this Council, Mr. Bulls, Councilman O'Malley and Michelle Madoff, are responsible for the charge for non-City residents for paramedic service and billing a third party payee. According to Mr. David Matter, that generates $10,000 a day which will now go into the general fund for all three services, not just for paramedics.

That is some kind of thing that I just happened to think of that resulted in a fiscal benefit. I'm sure people with a lot more fiscal training could come up with even better things and I would like to see those three issues pursued in the coming year.

The Chair:

Roll call vote on the bills.

Michelle Madoff:

Are we voting on all three bills or just one?

The Chair:

The way we do all the time; you vote on it all.

Michelle Madoff:

All three, Mr. Stone?

The Chair:

The way we vote all the time, every Monday. You're voting on all those bills that are coming out of this committee.

Michelle Madoff:

Okay.

The Chair:

Take the roll.

Mr. Givens:

I vote no for the reasons so stated. I feel that the Mayor and members of this Council that must run for another term will be most seriously challenged because of their vote here today. That's not a threat, that's a reality.

Mr. Woods:

Mr. President, I hate to do this while we're voting. Are we voting on the budget as a whole or are we voting on individual bills?

Michelle Madoff:

I just asked the question and was told as a whole.

The Chair:

We are voting on all the bills that you have there which is budget. You're voting yes or no on the bills.

Mr. Woods:

Alright.

Mr. Robinson:

I vote aye on all bills except 1774. On 1774 I vote no and I'd like to have my comments from our previous Wednesday session when we had the first preliminary vote on the Capital Budget. I would like to only have included my initial comments relative to the Urban Redevelopment Authority and transferring projects from the Urban Redevelopment Authority to the Department of City Planning.

(MR. ROBINSON'S REMARKS FROM CAPITAL BUDGET HEARING FRIDAY, DECEMBER 14, 1984)

Mr. Robinson:

Mr. President, Members of Council. As Chairman of Councils Committee on Planning, Housing and Development I would like to recommend the following for the 1985 Capital Budget relative to the Urban Redevelopment Authority and the Department of City Planning.

One, that the following projects be transferred from the jurisdiction of the Urban Redevelopment Authority to the Department of City Planning:

1. Pennsylvania Island
2. Herr's Island
3. OIC/Revolving Loan Fund
4. Greater Pittsburgh Business Development Corporation/Revolving Loan Fund

My recommendation is based on an evaluation of the internal operations of the URA, audits of that operation and the need to sustain the efficient operation of the above cited projects. At a later date, if appropriate, the projects can be returned to the aegis of URA. Thank you.

(END OF COMMENTS)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Grabowski	Mr. Wagner
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone (Pres't)

AYES 8 NOES 1

(MR. ROBINSON VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

The Chair:

We'll now have the budget message from our Finance Chairman, Mr. Ben Woods.

Mr. Woods:

I don't know whether I should give this now after all the controversy but I feel that I must.

BUDGET MESSAGE OF BEN WOODS THE FINANCE CHAIRMAN

CITY COUNCIL CITY OF PITTSBURGH

It is only by custom that the Chairman of Council's Finance Committee presents Council's Budget Address. This address, like the budget we present to the people of the City, has been authored by all nine members of City Council. I merely have the honor to relate what each member of Council has individually determined and what Council as the representative of the people has voted to adopt.

On behalf of City Council, I must begin by expressing our gratitude to our Budget Staff, Jack Buckley, Pete Vaughn

and Al D'Alessandro as well as City Council's entire staff for their tireless assistance.

We also thank the Directors of the various City Departments for their willingness to work with City Council on behalf of the interests of the people.

What we present to the people of Pittsburgh today determines what projects and programs will be funded, how much service each Department can deliver and what cost the people of the City will bear. The decisions this Council had to consider were among the most difficult any Council has had to make. The nine members of Council had individual views to express. I am pleased to state that these views were heard with respect, if not agreement. Everyone who testified and deliberated did so with the common purpose of seeking the best for the City.

The Mayor has already announced that his Budget recommendations require no tax increase for 1985 and his belief that none will be required to balance the 1986 Budget. In our review of the Budget Revenue Projections, City Council concurs that no tax increase is required for next year and with prudent management and restraint, none may be required for the year following.

We add two additional points, the fiscal policies and restraint that the Administration credits for our financial health were also employed by City Council. The steps requested by the Administration to keep the Budget in balance were supported or even initiated by members of Council. Without crowding the Mayor, we take our bow in the same spotlight.

Yet one thing must be made clear: our current good fortune does not diminish Pittsburgh's need for fair tax support from all who use our City. The Suburban squires who earn their living in the City but refuse to pay for its service can no longer say that we must learn to live within our means. We are living within our means, yet Pittsburghers are still unfairly burdened with the cost of the service and protection enjoyed by the others. This must end.

Until fair taxation is supported in Harrisburg, Pittsburgh must continue to have the nuisance taxes, such as the Amusement Tax and the Parking Tax, that at least capture non-City resident dollars for the general use of the City.

The proposed Public Safety Department has generated intensive, and at times, heated debate. City Council's views have been incorporated into the original plan and the new Department created.

City Council will not forget this issue in the coming months. We expect the Firefighters, Police Officers and Paramedics whose separate Bureaus make up the Department of Public Safety to serve with one purpose: to protect the lives and property of the people within our City. Likewise, Council expects each Bureau to be treated fairly as we make the separate parts into a whole.

These duel expectations will govern Council's review and debate on all Legislation generating from the new Department.

While much of our attention was devoted to the future of the Public Safety Personnel, we have not forgotten those whose service has ended. City Council has funded a $25.00 increase in the monthly pensions of our retired workers.

Each year Council is faced with

the problem of adjusting the pensions of our former employees. The traditional method of granting or denying the raise is haphazard and not fair to the employed, past or present.

This year Council will create a special committee made up of Representatives of Council, the Administration, the Pension Funds and Unions affected to devise a better method of determining when increases are justified and setting a procedure for establishing those increases.

It is our intention to develop a uniform procedure that is fair to taxpayers and pensioneers.

City Council has not seen a need to greatly modify the line items and salaried positions recommended by the Mayor in his initial Budget Proposal.

However, in the area of Capital Programs, we have a somewhat different view than the Mayor.

Recognizing the need to keep our Capital borrowing within prudent levels, we also see a clear need to maintain the City's basic infrastructure. Because federal funds may be reduced in the future, and because interest rates are generally projected to go down in 1985, we expanded the City's Capital Program.

In the Operating Budget, City Council defines the future of Pittsburgh for the next few years. In the Capital Program we seek to create the long-term future of our City. Beyond the changes in a few projects in the coming year, Council will examine two major areas of the Capital Program.

We have an undeniably rich and successful program to upgrade the housing stock of the City. But it is time that we examine whether we are meeting all the needs with the funds and talent available. In a City where 10 percent of the people live in subsidized housing, we have to look further at the housing needs for those at the lowest economic level.

That there is still substandard housing in Pittsburgh is an embarrassment we have sought to correct. That there are homeless people is a moral inch short of a crime. This should not happen in America.

Because the federal and state government policies have caused a great deal of the current problem in homelessness does not mean that local government can ignore the problem.

Shelter for the homeless is funded through state and federal funds. This year Pittsburgh will receive some $400,000 of funds to provide dormitory shelter for those who need and wish it.

A greater problem is faced by the family that is evicted or forced onto the street by fire or family violence. Often these are single parent households headed by a woman who has no experience in such crisis. These citizens require help in finding permanent housing and the means to prevent the loss of shelter from happening again.

Council will work with the URA, the Housing Authority and all others to develop the temporary housing that such families need.

This is a human need that requires our attention in 1985.

Pittsburgh's Economic Development Programs have met with great success in certain areas. We commend all who helped create jobs through the constructions of many great office towers.

We commend those who won the computer software institute in Oakland.

However, we question whether we are doing everything we can to retain and rebuild our manufacturing base.

If we are to offer a future for those of us who make their living with their hands, we must help invest in the small shops and factories that appreciate their talents.

While the URA has two industrial parks in development, must both the J & L and Herr's Island sites be given over to high tech? Can't at least one be given over to forging manufactured goods?

There are two types of people, those of us who know how to program a computer and those of us who know how to make a motor run.

Council is concerned that the second group is not being heard from.

This winter City Council will hold a series of hearings on the future of manufacturing and blue collar employment in Pittsburgh. Our universities, unions, board rooms, and union halls hold many of the answers. I am not certain that they have been asked the questions.

Perhaps we might learn from these hearings and retool our programs to insure that manufacturing is a part of our economic future.

Public hearings are a major tool of legislative bodies. They build concensus, inform the public, and best of all, they shape public policy.

The winter hearings on the future of manufacturing in Pittsburgh may help our planners and elected officials decide how best to harness Pittsburgh's supply of power, water, educational institutions and most of all, our experienced labor into a Renaissance of manufacturing. If so, this will be Council's finest contribution in 1985.

In conclusion, there is but one more thing to do, and that is to read the names of the authors of the 1985 Budget for the City of Pittsburgh.

President Robert Rade Stone, Finance Chairman Ben Woods, Councilmembers Richard Givens, Michelle Madoff, Sophie Masloff, Steve Grabowski, Jack Wagner, William Russell Robinson and James O'Malley.

We, the nine members of Pittsburgh City Council, are pleased to present to the people of our City the 1985 Budget.

Thank you.

Mr. O'Malley:

I have one point of order here. I'd like a report by the first meeting in January, from the Parliamentarian, on the grounds needed to ask the President of City Council to resign.

Mr. Woods:

I'm sorry, I didn't hear that.

Mr. O'Malley:

I would like a report by the Parliamentarian within a week or by the first meeting in January on the grounds needed to ask the current President of City Council to step down.

The Chair:

Okay.

Mr. Woods moved to suspend Rule 8 for all Committees providing for the mailing of printed copies of all ordinances and resolutions to each member of Council at least 48 hours previous to their consideration by Council after the return of such papers from Committee.

Mr. Robinson seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Grabowski**

Council adjourned.

There is nothing "Public" about the new Department of Public Safety
$1,217,579.00 of taxpayers' money wasted for invisible, undefined positions!

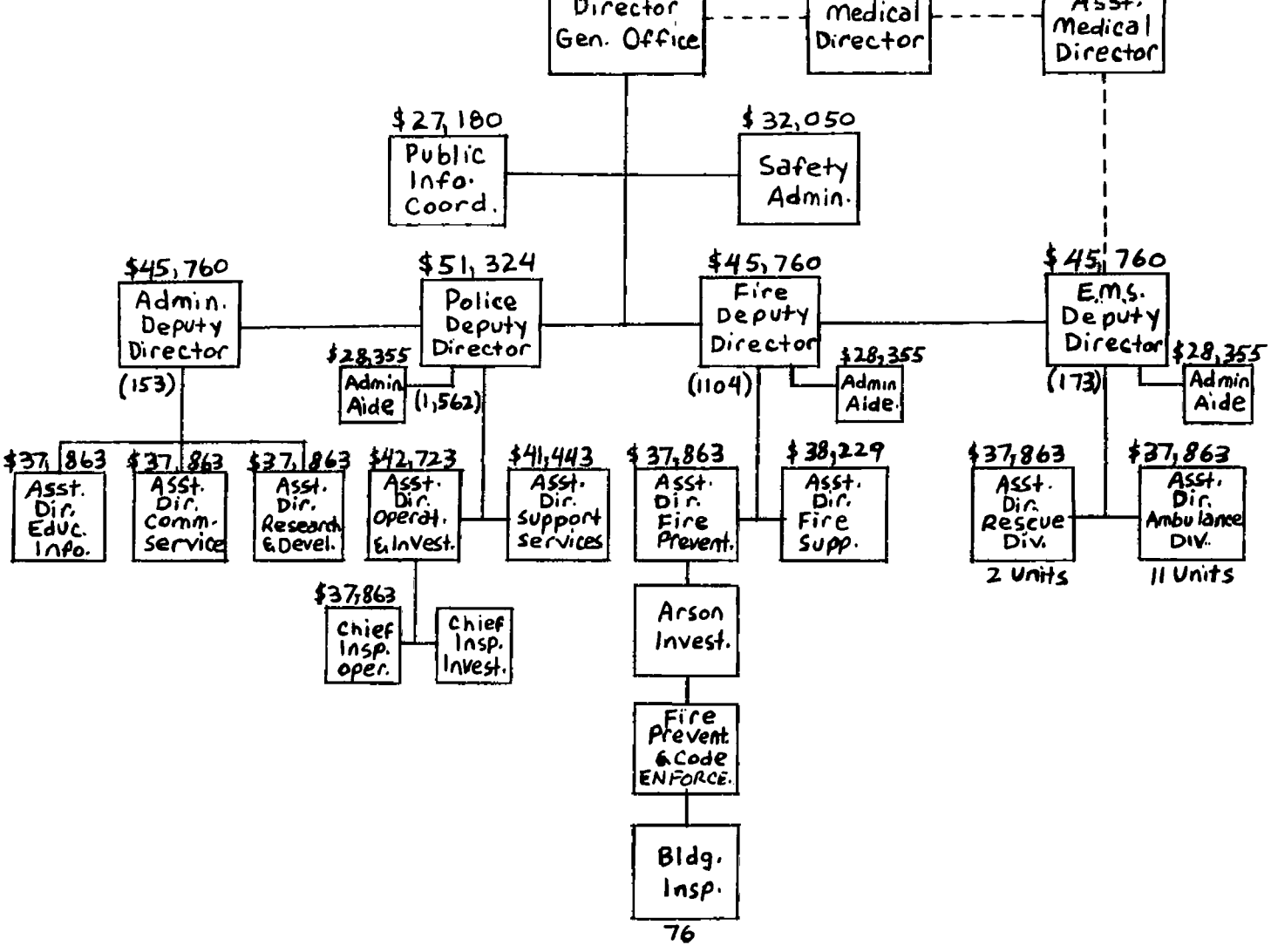
POSITION	JOB DESCRIPTION	REQUIRED EDUCATION/ EXPERIENCE		SALARY
General Office				
New Director	None	Unknown		$55,242.00
New Public Inf. Coordinator	None	Unknown		27,180.00
New Safety Administrator	None	Unknown		32,050.00
New Administrative Assistant	None	Unknown		30,807.00
New Special Activities Coordinator	None	Unknown		25,002.00
Administrative Branch				
New Deputy Director (153)	None	Unknown		45,760.00
New Stores Manager	None	Unknown		43,988.00
Education and Training Division				
New Assistant Director (25)	None	Unknown		37,863.00
New Education Coordinator	None	Unknown		26,064.00
New Audio-Visual Coordinator	None	Unknown		26,064.00
Communications Services Division				
New Assistant Director (97)	None	Unknown		37,863.00
Research and Evaluation Division				
New Assistant Director (6)	None	Unknown		37,863.00
New Senior Research Analyst - 2	None	Unknown	($29,579.00)	59,158.00
New Research Analyst - 2	None	Unknown	($25,002.00)	50,004.00
Emergency Services Branch				
New Deputy Director (173)	None	Unknown		45,760.00
New Assistant Director - 2	None	Unknown	($37,863.00)	75,726.00
New Administrative Aide	None	Unknown		28,355.00
New Patient Care Coordinator	None	Unknown		26,064.00

(Continued)

	POSITION	JOB DESCRIPTION
Police Branch		
New	Deputy Director (1,562)	None
New	Ass't Dir. Operations/Investigations	None
New	Ass't Director Support Services	None
New	Administrative Aide	None
New	Supervisory Clerk	None
New	School Crossing Sergeant	None
Fire Branch/Bureau		
New	Deputy Director/Chief (1,104)	None
New	Assistant Director - Suppression	None
New	Assistant Director - Prevention	None
New	Administrative Aide	None

(n) - indicates number of employees supervised

REQUIRED EDUCATION/ EXPERIENCE	SALARY
Unknown	$51,324.00
Unknown	42,723.00
Unknown	41,443.00
Unknown	28,355.00
Unknown	19,038.00
Unknown	28,397.00
Unknown	45,760.00
Unknown	38,229.00
Unknown	37,863.00
Unknown	28,355.00
	$ 1,217,579.00


Director Gen. Office
Medical Director
Asst. Medical Director
$27,180
Public Info. Coord.
$32,050
Safety Admin.
$45,760
Admin. Deputy Director
(153)
$51,324
Police Deputy Director
$45,760
Fire Deputy Director
(1104)
$45,760
E.M.S. Deputy Director
(173)
$28,355
Admin Aide
(1,562)
$28,355
Admin Aide
$28,355
Admin Aide
$37,863
Asst. Dir. Educ. Info.
$37,863
Asst. Dir. Comm. Service
$37,863
Asst. Dir. Research & Devel.
$42,723
Asst. Dir. Operat. & Invest.
$41,443
Asst. Dir. Support Services
$37,863
Asst. Dir. Fire Prevent.
$38,229
Asst. Dir. Fire Supp.
$37,863
Asst. Dir. Rescue Div.
2 Units
$37,863
Asst. Dir. Ambulance Div.
11 Units
$37,863
Chief Insp. oper.
Chief Insp. Invest.
Arson Invest.
Fire Prevent & Code ENFORCE.
Bldg. Insp.

December 17, 1984

To Members of City Council,

Today, at approximately 3:30 P.M., while meeting with Councilman Woods, I received a message that EMS personnel were at the offices of Volpe-Rogal scrutinizing Fire Department accident records. I, along with Paul Schermann and John Purnell, at approximately 3:55 P.M., entered the offices of Volpe-Rogal and witnessed EMS supervisors Rowntree and Full, in uniform, checking our records. They admitted that they had been sent there by the Finance Department.

I strongly believe that this is a serious invasion of privacy and that the authorization should have been obtained from the individuals whose records were being checked.

This is just one example of many that highlight the sleazy, underhanded policies used by the Caliguiri Administration to denigrate our Department. These policies have obviously escalated from "innocent" picture taking at fires to serious breaches of individual rights to privacy.

I demand a full scale investigation of these actions. One would think that they would have more important tasks to accomplish than wastin taxpayer's money. We would have been only too glad to have co-operated in any way to objectively evaluate our accident record.

Fraternally yours,

PITTSBURGH FIRE FIGHTERS
LOCAL NO. 1

Bernard R. Burns,
President

WE, THE UNDERSIGNED CITIZENS OF PITTSBURGH SUPPORT THE PITTSBURGH FIREFIGHTERS AND POLICE. WE ARE ASKING CITY COUNCIL TO DELAY APPROVAL OF THE MAYOR'S PUBLIC SAFETY PLAN. WE WANT CITY COUNCIL TO TAKE THE TIME TO CAREFULLY EXAMINE THE MAYOR'S PLAN AND MAKE AN INTELLIGENT DECISION ON THIS PLAN.

NAME	ADDRESS
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Pittsburgh Fire Fighters Local No. 1

ORGANIZED
SEPTEMBER 11, 1903

BERNARD R. BURNS, President
5308 KEYSTONE STREET • PITTSBURGH, PA. 15201
Squad Co. No. 2: 682-9901 Residence: 781-2046

JAMES BAYSTER, Recording Secretary
4024 BRIGHTON ROAD • PITTSBURGH, PA 15212
Squad Co. No. 1: 566-9038 Residence: 734-1741

December 14, 1984

Mayor Richard S. Caliguiri
City of Pittsburgh

Dear Mayor Caliguiri:

We request that the 1985 budget for the Pittsburgh Fire Department remain as was in 1984, and that a committee be appointed to study the alledged problems of the Pittsburgh Fire Department, Pittsburgh Police Department, and the Emergency Medical Services.

The committee to be appointed by February 1, 1985 and to report back by August 1, 1985. Committee members to be appointed jointly by the Mayor and Council. People from all three Departments as well as the public should serve on this committee.

Very truly yours,

Bernard R Burns

Bernard R. Burns
President, Local # 1

PAUL A. STACKHOUSE
PRESIDENT

DAVID R. GLAVIN
EXECUTIVE VICE PRESIDENT

JOSEPH F. ZUNIC
TREASURER

JOHN A. REMARK
EXECUTIVE SECRETARY

Allegheny County Labor Council

AFFILIATED WITH

The American Federation of Labor and Congress of Industrial Organizations

"RED CROSS BUILDING" • 225 BOULEVARD OF THE ALLIES • SUITE 405 • PITTSBURGH, PA 15222
Phone: (412) 281-7450

November 21, 1984

The Honorable Richard S. Caliguiri
Mayor, City of Pittsburgh
513 City County Building
Pittsburgh, PA 15219

Dear Mayor Caliguiri:

Allegheny County Labor Council, AFL-CIO, upon reading into your reorganization of the Fire Department, and after much discussion with the Officers of the Pittsburgh Fire Fighters Local #1, would suggest the following for your consideration.

There seems to be very little protest as to bringing the Fire Department under the Public Safety concept, excepting the desire to not lose their identity.

Much consideration must be given to the demotion and replacement of Fire Fighters by non-union white collar workers. This demoting leaves much to be desired.

Under the new concept, there seems to be a definite threat to the stability of the union, as the loss of these positions could erode the barqaining unit and open the door for further displacements and elimination of other positions held by those in this unit.

Your new concept could conceivably limit the career potential and promotional system which the union fought long and hard to establish.

Since the laws and regulations including civil service law and Act III (Binding Arbitration) have been established around the titles of "Fire Department" and "Bureau of Fire" and change of title on nomenclature could eliminate these very important protections, and certainly the Trial Board system could be in jeopardy.

In good conscience the terms "Fire Department" and "Bureau of Fire" should remain untouched.

We question the change in the 1983 table of organization and it should remain in tact.

A question is being raised as to the five Deputy Chiefs being demoted, as this certainly would reflect on their pensions as you know, the last three years of earnings dictate the amount of pension payments.

These kinds of demotions will surely be felt as to the morale of those Fire Fighters who have striven so hard to advance to these positions.

It is highly inconceivable these men working, studying, and persevering to arrive at these positions, now are told it was all in vain, now you are demoted, your wages reduced and the amount of your pen-

sion payment much less than you anticipated.

We firmly believe these five Deputy Chief positions should remain as they are, and suggest, you further study the demoralizing effect on those Fire Fighters who are dedicated and worked diligently to better their way of life.

With the addition of white collar non-union employees replacing Fire Fighters, the contributions to the Pension Fund will be reduced and could effect future pension payments.

It also seems to us you would create two separate pension funds, one for the Fire Fighters and another for white collar employees.

Much could have been accomplished if these contemplated changes had been discussed prior to the arbitration just completed.

There certainly should be the kind of rapport with the Union heads and City Officials to make the change more palatable.

It appears to us of the Allegheny County Labor Council an area of trust and respect for positions should exist, and an all out effort be made to have input from all those effected by these changes before finalization of this reorganization took place.

Sincerely yours,

Paul A. Stackhouse, Sr., President

David R. Glavin, Executive Vice Presicent

John A. Remark, Executive Secretary

Joseph F. Zunic, Treasurer

PAS:DRG:JAR:JZ:mja

opeiu-33

afl-cio

RUSSELL P CERAMI
865 EAST 44 ST
ERIE PA 16504 29AM

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BERNARD R BURNS
5308 KEYSTONE ST
PITTSBURGH PA 15201

FOLLOWING IS COPY OF TELEGRAM SENT TO MAYOR RICHARD CALAGARI.

THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS STRONGLY ENDORSES THE POSITION OF THE PITTSBURGH FIRE DEPARTMENT LOCAL 1 IN MAINTAINING THE PRESENT POSITION OF ONE FIRE CHIEF AND FIVE DEPUTY CHIEFS AND THE REFERENCE TO THE BUREAU OF FIRE AND NOT THE BRANCH OF FIRE.

YOUR CONSIDERATION OF THIS REQUEST WOULD BE APPRECIATED

RUSSELL P CERAMI
VICE PRESIDENT
INTERNATIONAL ASSOCIATION OF FIREFIGHTERS

14:13 EST

MGMCOMP

TO REPLY BY MAILGRAM MESSAGE, SEE REVERSE SIDE FOR WESTERN UNION'S TOLL - FREE PHONE NUMBERS

JULIUS UEHLEIN, *President* ROBERT T. McINTYRE, *Executive Vice President* JUDITH HEH, *Secretary-Treasurer*

PENNSYLVANIA AFL-CIO

101 Pine Street • Harrisburg, PA 17101
Telephone (717) 238-9351

November 28, 1984

The Hon. Richard S. Caliguiri
Mayor of Pittsburgh
City-County Building
414 Grant Building
Pittsburgh, Pennsylvania 15219

Dear Mayor:

I would like to take this opportunity to thank you for all of your cooperation in the past election. Although the results were not to our liking, it certainly wasn't because of any lack of effort on your part or ours. I appreciate all the cooperation and help we received not only from yourself but from your whole city administration.

It has been brought to my attention that there might be a disagreement between your Administration and the Fire Fighters Union, who are an affiliate of ours.

I hope that your Administration and the Fire Fighters can come to a mutually accepted agreement on the elimination of the five (5) deputy chiefs and the distinction of whether the Fire Department shall be called a Bureau or a Branch.

I am sure that reasonable people from both your City Administration and the Fire Fighters Union can solve these and the other problems that are cropping up at this time.

If I can be of any assistance to you in any of these endeavors, please don't hesitate to get in touch with me. Again I would like to personally thank you for all of your cooperation.

Sincerely and fraternally,

Robert T. McIntyre
Executive Vice President

RTM/shm
UFCW-72

bcc Bernie R. Burns ✓

HOUSE OF REPRESENTATIVES
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

November 27, 1984

The Honorable Richard S. Caliguiri
Mayor, City of Pittsburgh
5th Floor, City-County Building
Pittsburgh, PA 15219

Dear Mayor Caliguiri:

We have been following recent developments in the City's budget wherein you have proposed the reinstitution of the Office of Public Safety Director and restructuring therein the Police Department and Fire Department.

We respectfully request that in the proposal undertaken, the Fire Department under the reorganization be referred to as the Bureau of Fire and also that an adequate complement of Deputy Chiefs positions be maintained to assure the health and safety of our constituents and the ease of administration of this new department.

Sincerely,

Rep. Ronald R. Cowell

Rep. Thomas C. Petrone

Rep. Michael M. Dawida

Rep. Frank D. Pistella

Rep. Thomas J. Murphy

Rep. Joseph Preston, Jr.

Rep. Richard D. Olasz

Rep. Steve Seventy



1225 HASLAGE AVENUE PITTSBURGH PA. 15212

December 15, 1984

Dear Council Members:

After reviewing all related aspects of the Mayor's proposed Public Safety Plan, we feel that there remains many important unanswered questions.

The Public Safety Concept would appear on the surface to solve many problems but, it appears to raise more problems that it would eliminate.

We would suggest to Council that this plan be postponed until more co-operative studies can be made.

The Citizens of this City need more input into these secretly divised plans. An open hearing would be advisable some where down the line in order that our voices can be heard.

Council would be doing us all; including themselves, a great and courageous favor.

Sincerly yours,

Ronald J. Marak
President

C.C. BOARD

December 12, 1984

Dear Council Members:

After reviewing all related aspects of the Mayor,s proposed Public Safety Plan, we feel that there remains many important unanswered questions.

The Public Safety Concept would appear on the surface to solve many problems but, it appears to raise more problems than it would eliminate.

We would suggest to Council that this plan be postponed until more co-operative studies can be made.

The Citizens of this City need more input into these secretly divised plans. An open hearing would be advisable, somewhere down the line, in which our voices could be heard.

Coucil would be doing us all; including themselves, a great and courageous Favor.

Yours Sincerely:

Crafton Hgts Comm. Coucil

Joann Mikula

December 12, 1984

Dear Council Members:

After reviewing all related aspects of the Mayor,s proposed Public Safety Plan, we feel that there remains many important unanswered questions.

The Public Safety Concept would appear on the surface to solve many problems but, it appears to raise more problems than it would eliminate.

We would suggest to Council that this plan be postponed until more co-operative studies can be made.

The Citizens of this City need more input into these secretly divised plans. An open hearing would be advisable, somewhere down the line, in which our voices could be heard.

Coucil would be doing us all; including themselves, a great and courageous Favor.

Yours Sincerely:

Eileen Mulder

Pres. Shenadoa Comm Council

Democratic Committeewoman

12TH Dist

20TH Ward

December 12, 1984

Dear Council Members:

After reviewing all related aspects of the Mayor,s proposed Public Safety Plan, we feel that there remains many important unanswered questions.

The Public Safety Concept would appear on the surface to solve many problems but, it appears to raise more problems than it would eliminate.

We would suggest to Council that this plan be postponed until more co-operative studies can be made.

The Citizens of this City need more input into these secretly divised plans. An open hearing would be advisable, somewhere down the line, in which our voices could be heard.

Coucil would be doing us all; including themselves, a great and courageous Favor.

Yours Sincerely:

Helma J. Stanbridge
City Fire Coalition

Overbrook Community Council
2415 Saw Mill Run Boulevard • Pittsburgh, PA 15234

December 12, 1984

Dear Council Members:

After reviewing all related aspects of the Mayor's proposed Public Safety Plan, we feel that there remains many important unanswered questions.

The Public Safety Concept would appear on the surface to solve many problems however, it appears to raise more problems than it would eliminate.

We therefore suggest to Council, this plan be postponed until more co-operative studies can be made.

The citizens of this city need more input into these plans. An open hearing would be advisable, in which our voices would be heard.

Due to time constraints I am submitting this letter in anticipation of its official acceptance by our membership at our January meeting.

Sincerely,
Linda Fox
Linda Fox, President
Overbrook Community Council

Sheraden Civic Club
PITTSBURGH, PA. 15204

December 13, 1984

Dear Council Members:

After reviewing all related aspects of the Mayor's proposed Public Safety Plan, we feel that there remains many important unanswered questions.

The Public Safety Concept would appear on the surface to solve many problems but, it appears to raise more problems than it would eliminate.

We would suggest to Council that this plan be postponed until more co-operative studies can be made.

The Citizens of this City need more input into these secretly divised plans. An open hearing would be advisable, somewhere down the line, in which our voices could be heard.

Council would be doing us all; including themselves, a great and courageous favor.

Sincerely:

Michelle M. Gonzales
Sheraden Civic Club, president
and the Members of Sheraden
Civic Club

WINDGAP-CHARTIERS CITY CIVIC CLUB

INCORPORATED 1958

PITTSBURGH, PA. 15204

December 18, 1984

Members
Pittsburgh City Council
City-County Building
Pittsburgh, Pa. 15219

Dear Council Members,

Mayor Caliguiri's Recent Proposed Public Safety Plan leaves us with a lot of unanswered Questions.

Change is sometimes necessary, change is sometimes advantageous, but to change a system that appears to be working, without input from the Police Department, Fire Department, EMS Department and especially citizens is ridiculous.

We would suggest to Council that this plan be delayed until studies are made and input from all those concerned is heard, hopefully in community meetings and especially a hearing before Council.

Council has an obligation to its constituents to consider taking NO action on this matter until more information is gathered.

Sincerely,

Grace Kocay

Grace Kocay, President
3812 Chartiers Avenue
Pittsburgh, Pa. 15204
331-7915

Esplen Citizens Council

December 12, 1984

Dear Council Members:

After reviewing all related aspects of the Mayor's proposed Public Safety Plan, we feel that there remains many important unanswered questions.

The Public Safety Concept would appear on the surface to solve many problems, but it appears to raise more problems than it would eliminate.

We would suggest to Council that this plan be postponed until more in depth studies can be made.

The Citizens of this City need more input into to these plans. An open hearing would be advisable, somewhere down the line, in which our voices could be heard.

Coulcil would be doing us all; including themselves, a great and courageous favor.

Yours sincerely,

George W. Miller

George W. Miller, Pres.
227 Radcliffe St.
Pittsburgh, Pa. 15204

December 12, 1984

Dear Council Members:

After reviewing all related aspects of the Mayor,s proposed Public Safety Plan, we feel that there remains many important unanswered questions.

The Public Safety Concept would appear on the surface to solve many problems but, it appears to raise more problems than it would eliminate.

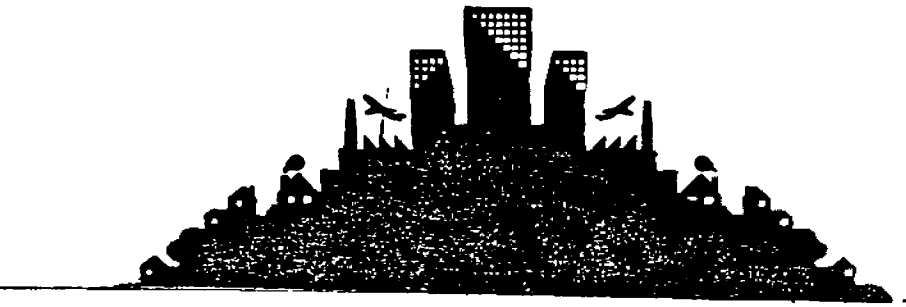
We would suggest to Council that this plan be postponed until more co-operative studies can be made.

The Citizens of this City need more input into these secretly divised plans. An open hearing would be advisable, somewhere down the line, in which our voices could be heard.

Coucil would be doing us all; including themselves, a great and courageous Favor.

Yours Sincerely:

Cecelia Onda - Sec'y
15th Ward Chamber
of Commerce



MT. Washington Action Coalition

December 17, 1984

Dear Councilmembers,

After reviewing all related aspects of the Mayors proposed Public Safety Department, we feel that there remains many important unanswered questions.

The Public Safety concept would appear on the surface to solve many problems however, it appears to raise more problems that it would eliminate.

Therefore, we suggest to council this plan be postponed until more cooperative studies can be made and a satisfactory compromise between the Mayor and the Firefighters and Police can be made.

Sincerely,

MOUNT WASHINGTON ACTION COALITION
Beverly A. Azzaro, President

LOCAL SUPPORTED CHANGES TO IMPROVE PUBLIC SAFETY

Pittsburgh Fire Fighters do not oppose changes that improve public safety and they have a long and proud tradition.

A brief review of the Local's record will prove that when changes have been in the interest of the public safety we have supported those changes despite the fact that these may have required sacrifices on the part of our members.

1963 -- We supported the creation of merit-based civil service system to replace the existing political patronage system. The result was a system which has worked well and without serious criticism or hint of scandal for 21 years.

1965 -- We supported the creation of the Fire Prevention Division in the then existing Bureau of Fire because of the need for trained Code Enforcement Officers. Our members aided in drafting the first comprehensive Fire Prevention Code in the history of the City of Pittsburgh. The code was enacted into law in 1966.

1972 -- We supported the scrapping of the Public Safety Director's position and the reorganization of the Safety Services. The purpose was to provide clearer lines of communication and responsibility between the safety forces and the Mayor's Office. Experience had shown that the concept of all of the Public Safety Services under a single director was unworkable.

1975 -- When City Council enacted Ordinance No. 6 to establish assured Fire Department response to Pittsburgh neighborhoods we had to sue the City Administration to comply with the law.

1982 -- We supported the massive reorganization of the entire Fire Department. In this change nine existing units and 28 Captains' position were eliminated; personnel shifts were made on a city-wide scale; the antiquated fire box response pattern was replaced by a simpler, more efficient zone response system; and work shifts were reorganized into platoons. These massive disruptions were carried out by our members despite considerable inconvenience. We supported these changes because they resulted in reduced response time and increased manpower at fires, greater teamwork and coordination of personnel and increased safety for the public as well as our members.

So our history shows that we do not oppose change when it has a positive result. We only oppose change when it is not in the best intere of public safety. Every Fire Fighter takes an oath when he comes on the job: We swear that we will do everything in our power to protect life and property in the City of Pittsburgh. If we would agree to

support this plan, we would be going against this oath because this plan isn't to improve the public safety, it's to take the Fire Department back to where it was in 1963.

John F. Purnell
Vice President, Local # 1

Fire Fighter Injury Statistics Were Distorted In Article Written By Andrew Schneider In The Pittsburgh Press

In October, 1984, the *Pittsburgh Press* broke a series of articles by reporter Andrew Schneider critical of the Pittsburgh Fire Department Safety record and equipment. Your Executive Board has analyzed the facts and figures that Schneider used for his articles and found *they were false and grossly misleading!*

The *Press* used two different sets of statistics in the article, *1983 IAFF Injuries and 1983 NFPA Injury Statistics* Schneider selected the most unfavorable parts of either article to support his conclusions All national injury statistics, whether based on data year 1982 or 1983 were compared with Pittsburgh Fire Department 1983 injury statistics

Every statistic used in the Press was distorted to misrepresent the Pittsburgh Fire Department safety record The injury rate cited in the *Press* as the national average referred to *fire ground injuries only — not total injuries* Nonetheless, the *Press* compared national fire ground injuries with Pittsburgh Fire Department injuries of all kinds, including non-fire ground injuries In 1983 there were 378 total injuries in Pittsburgh, a rate of approxumately 9 5 injuries per 100 fires There were 245 "fire ground" injuries and the rate of injuries was 6.42 per 100 fires!

The *Press* used figures based upon injury rates in towns with populations of less than 2,500 where the injury rate is much lower than the comparable rate of injury in larger cities Cities in the Northeast region of the country were found to have an injury rate 40% higher than cities of equal size located in other parts of the country, but the *Press* completely ignored geographic region in making the comparison.

In fact, the fire ground injury rate per 100 fires in the City of Pittsburgh is lower than the rate for cities of comparable size in the Northeast region of the country and is approximately equal to the national average.

In general, the larger the city the higher the rate of Fire Fighter injuries. Rather than being higher than the national average, the Pittsburgh injury rate was statistically equal to the rate of injuries for Northeastern cities with populations of less than 250,000 people The fire ground safety record of the Pittsburgh Fire Department compared with similar cities, and even when compared with some smaller cities, is good. Compared with the national average fire ground injury rate for large cities, the Pittsburgh Fire Department record is excellent. *The Press completely distorted the facts in this category*

The next distortion in the *Press* article dealt with inhalation injuries This statistic was derived from 1982 injury data supplied by the International Association of Fire Fighters and compared with 1983 Pittsburgh data The *Press* article stated that the national injury rate for inhalation injuries was 11% of all types of injuries and that the Pittsburgh rate was "50% higher than the national average " *The fact is* that Pittsburgh Fire Department injury figures for 1983 show that there were a total of 11 inhalation injuries in 1983, representing 4 5% of the total fire ground injuries, much lower than the national average cited by the *Press* Further, in 1983 *there were NO inhalation injuries to Pittsburgh Fire Fighters which resulted in lost time.*

The next distortion in the *Press* story dealt with eye injuries. The *Press* stated that the national rate of injuries to eyes was 4 4%. This statistic was derived from the 1982 IAFF survey cited above and compared with 1983 Pittsburgh rate which was 5.3%, admittedly a slightly higher figure. The *Press* ignored the National Fire Protection Association data for 1983 which set the rate of injuries to eyes at 8.1%, or 35% higher than the rate suffered by Pittsburgh Fire Fighters.

Next, the *Press* set the national rate of hand injuries at "5.6%." *Neither the IAFF nor the NFPA surveys confirm this statistic.* The IAFF survey established that hand injuries represented an average of 32 5% of all specified Fire Fighter injuries, more than five times the rate cited by the *Press*.

The *Press*' claim that "50% of Pittsburgh's Fire Fighters wear rubber coats lined with nylon, cotton or other fabric," IS ABSOLUTELY FALSE! As our members know, since 1972 all new appointees to the Pittsburgh Fire Department have been *required* to purchase OSHA approved protective gear *before graduation* from the Fire Academy. In addition, as older Fire Fighters have replaced gear with new equipment they have *upgraded* their protective clothing to conform with modern standards *The majority of fire coats in use in the Pittsburgh Fire Department today meet national standards* The *Press* story was ABSOLUTELY FALSE in this regard and we invite an independent investigation by any neutral interested party to confirm our position on this point.

Finally, we categorically deny that the Pittsburgh Fire Department policy on the use of masks is "hit or miss" as claimed by the *Press* Chapter 13 of the Pittsburgh Fire Department Training Manual provides a detailed policy on air masks and the manner of their use No officer can be promoted on the Pittsburgh Fire Department without having mastered the material on masks, and all Pittsburgh Fire Fighters are experienced in the use of self-contained breathing apparatus (SCBA) both from training and day to day use of these masks at fires.

The basic policy of the Pittsburgh Fire Department regarding the use of masks is to train officers and Fire Fighters thoroughly in their use and to rely on the discretion of trained, experienced and dedicated professionals to execute their duties From July 1, 1980 through July 31, 1984 the Pittsburgh Fire Department has filled 50,000 air tanks, ample evidence of the common use of Self Contained Breathing Apparatus. We stand behind our record of success as evidence of the wisdom of our policy on the use of masks.

In conclusion, we want to set the record straight about safety. The article in the *Pittsburgh Press* was unfair, untrue, and lacked the fundamental intellectual integrity we expect of the press We are not perfect and we never claimed we were, but the orchestrated slander of dedicated public servants who have done the best job they were capable of doing, often at the cost of their own lives, is unwise and very unfair.

Dear Members of Council,

As captain of the Arson Squad, Pittsburgh Fire Department, I would like to enlighten you to the facts about the South Side arsons in which Mayor Caliguiri stated it took too long for a suspect to be arrested and the bad cooperation between the Police Department and Fire Department.

Fact # 1 - It was through my expertise a profile and pattern was developed dating back to October, 1983.

Fact # 2 - It was through my expertise fires of incendiary origin which were not related was separated and investigated separately.

Fact # 3 - It was through my expertise the accidental fires were separated.

Fact # 4 - It was through outstanding cooperation between Det.'s James Malloy, James Hays, and myself that a suspect was arrested very quickly considering fire-setters of this type start numerous fires, sometimes hundreds before they are caught.

Fact # 5 - It was through outstanding cooperation between the B.A.T.F., Det.'s James Malloy, James Hays and myself that 4 arrests have been made to date in the investigation of the Arcade Theater Arson.

In closing it is apparent the Mayor is unaware that most arsonists are never identified or arrested, and that in 1980 Pittsburgh ranked # 1 in the state with 520 arsons. In 1981 the Arson Squad was reactivated by the Fire Department in cooperation with the Police Department. Results of this cooperation in 1983 Pittsburgh had 209 arsons or a decrease of 60% reported on the F.B.I. Uniform Crime Reporting System.

Thomas W. Hitchings
Captain, P.F.D.
Fire Prevention/Investigation

SOUTHSIDE FIRES -- OCTOBER 10, 1983 TO JUNE 12, 1984

MONDAY, OCTOBER 10, 1983 — 3 Fires

1.	0247 Hrs.	2102 E. Carson St.	vacant building - 4 alarms
2.	0247 Hrs.	21st & E. Carson Sts.	loading dock arrival of Fire Department
3.	0400 Hrs.	22nd & Larkins	rubbish dumpster against building

* 12 Days Later *

SUNDAY, OCTOBER 23, 1983 — 1 Fire

4.	0039 Hrs.	1205 E. Carson St.	vacant building 2 separate fires

* 8 Days Later *

TUESDAY, NOVEMBER 1, 1983

5.	0519 Hrs.	1413 Santa Claus Way	rubbish under porch

* 28 Days Later *

WEDNESDAY, NOVEMBER 30, 1983 — 4 Fires

6.	0421 Hrs.	116 S. 17th St.	rubbish against building
7.	0431 Hrs.	1607 Sarah St.	rubbish against building
8.	0617 Hrs.	1713 Wrights Way	rubbish against garage door
9.	***	1701 E. Carson St.	window door curtain

* 2 Days Later *

SATURDAY, DECEMBER 3, 1983 — 1 Fire

10.	***	1701 E. Carson St.	window door curtain
11.	***	Reported to Fire Department 12-3-83, 0945 Hrs. Fire not listed approximately 2 months prior to 11-30-83 same type.	

*** Not Reported

* 15 Days Later *

'ONDAY, DECEMBER 19, 1983 — 2 Fires

12.	0435 Hrs.	18th & Carey Way	rubbish against building
13.	0449 Hrs.	2118 Carey Way	rubbish under steps and porch Damage estimate - $3,000.00

* 5 Days Later *

SATURDAY, DECEMBER 24, 1983 — 1 Fire

14.	0345 Hrs.	18th & Carey Way	rubbish dumpster

* 13 Days Later *

SATURDAY, JANUARY 7, 1984 — 2 Fires

15.	0518 Hrs.	22nd & Harcums Way	rubbish in back of pick-up truck
16.	0540 Hrs.	23rd & Wharton	trailer full of paper Damage estimate - $15,000.

* 4 Days Later *

WEDNESDAY, JANUARY 12, 1984 — 1 Fire

17.	0134 Hrs.	1200 Muriel St. (rear) Bedford Sq.	printing materials on wooden pallet

* 5 Days Later *

TUESDAY, JANUARY 17, 1984 — 2 Fires

18.	0120 Hrs.	1417 E. Carson St.	vacant building (4 Alarms) Damage estimate - $30,000.
19.	1220 Hrs.	1324 E. Carson St.	2 separate fires 2nd floor fire burned approximately 6 hours prior to discovery Damage estimate - $500.

*** - Not Reported

* 18 Days Later *

SUNDAY, FEBRUARY 5, 1984 — 4 Fires

20.	0254 Hrs.	1915-17 E. Carson St.	Theatre 4 Alarms & 3 Specials (Arson) Damage estimate - $500,000.
21.	0530 Hrs.	51 S. 27th St.	Rubbish in hallway (occupied)
22.	0542 Hrs.	2825 Josephine St.	Porch furniture on front porch (occupied) Damage estimate - $3,000.00
23.	0545 Hrs.	2703 Jane St.	Rubbish against back door (occupied)

* 9 Days Later *

WEDNESDAY, FEBRUARY 15, 1984

24.	0156 Hrs.	24th & Josephine	Pick-up Truck attempted to burn by rag in gas tank.

* 2 Days Later *

SATURDAY, FEBRUARY 18, 1984 — 2 Fires

25.	0532 Hrs.	22 Uxor Way	Commercial Garage (3 Alarms) Damage estimate - $30,000. Accelerants from property used to set fire.
26.	0540 Hrs.	7th & Carson	Tow truck - Garage Door - Entrance Door set of fire Fires separate and unconnected.

* 1 Days Later *

SUNDAY, FEBRUARY 19, 1984

27.	0627 Hrs.	14 Enon Way	Auto - Front Seat Unknown type open flame.

* 82 Days Later *

SATURDAY, MAY 12, 1984 — 1 Fire

28. 0343 Hrs. — 145 S. 16th St. — shed in rear of building. Damage estimate-$300.00

* 18 Days Later *

THURSDAY, MAY 31, 1984 — 1 Fire

29. 0147 Hrs. — 16th & Roland Sts. — drain Sewer

* 2 Days Later *

SATURDAY, JUNE 2, 1984 — 3 Fires

30. 0303 Hrs. — 164 S. 16th St. — dwelling; spread to 2 other dwellings. rubbish in rear (occupied). Damage estimate-$45,000.00

31. 0303 Hrs. — 171 S. 16th St. — dwelling. 4 injuries. 2 Firefighters. 2 Civilians. rubbish in rear (occupied. Damage estimate-$25,000.00

32. 0303 Hrs. — 178 S. 16th St. — blankets in rear hanging on line. (occupied)

* 10 Days Later *

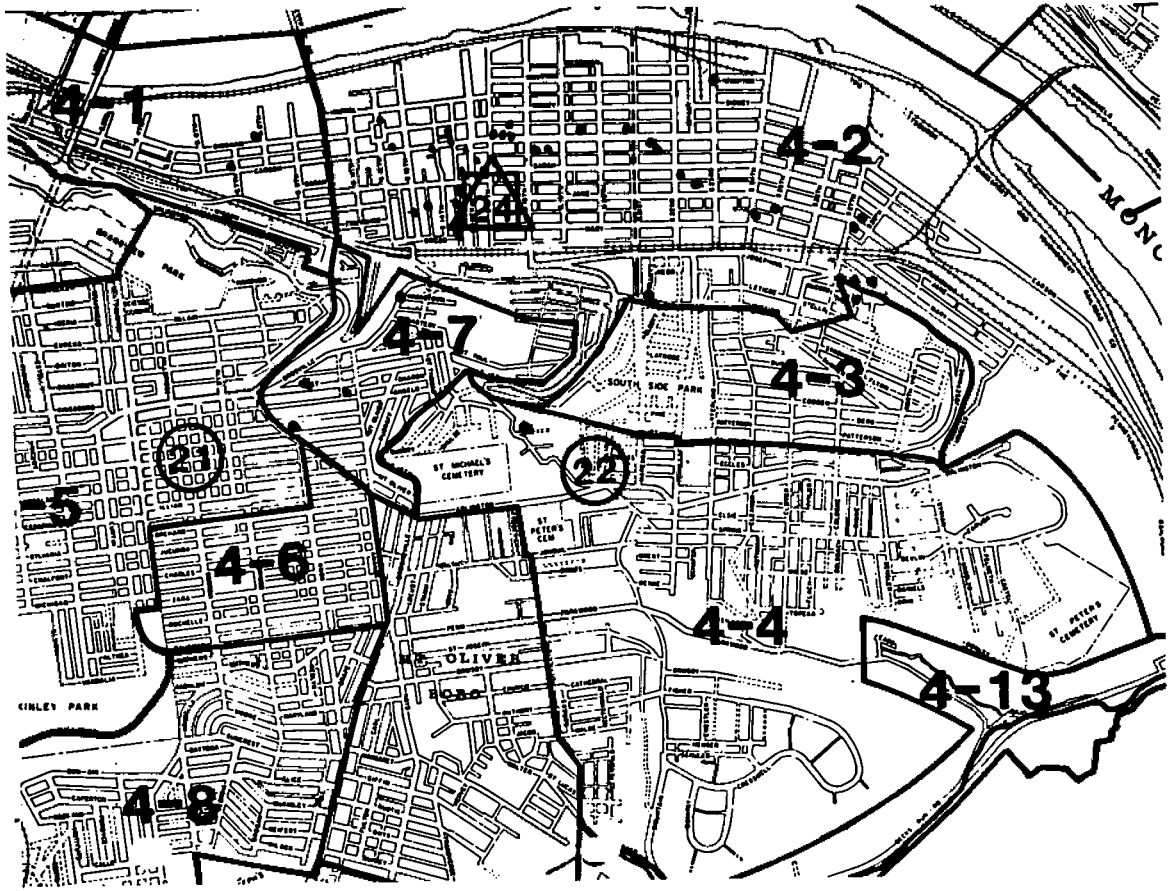
TUESDAY, JUNE 12, 1984 — 4 Fires

33. 0206 Hrs. — 132 S. 25th St. — dwelling. rubbish in alley way (occupied)

34. 0221 Hrs. — 3022 Harcum Way — dwelling. rubbish in rear (occupied). Damage estimate-$15,000.00

35. 0342 Hrs. — Mission St. Pumping Station — rubbish cans

36. 0601 Hrs. — 8th & Bingham Sts. — drop cloths in rear of truck


4-1
4-2
4-3
4-4
4-5
4-6
4-7
4-8
4-13
21
22
24
5
ST. MICHAEL'S CEMETERY
SOUTH SIDE PARK
ST. PETER'S CEM
MT. OLIVER
EDGO
CINLEY PARK

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
6TH AND WALNUT STREETS
PHILADELPHIA, PENNSYLVANIA 19106

Chief John Moran
Pittsburgh Fire Department
Public Safety Building
100 Grant Street
Pittsburgh, Pa. 15219

Dear Chief Moran:

As you are aware, EPA recently completed an Immediate Removal Action under Superfund at the Malitovsky Site. I would like to take this opportunity to thank you and your staff for the many long hours and extra effort. The overall measure of success in a project such as this is directly related to the level of response by organizations such as yours. I am fully convinced that our responsibility to protect public health was completely addressed, and the Lawrenceville Community interest was served.

Again, let me thank you and your staff and commend you on the excellence of your organization. If EPA can ever be of assistance to you please feel free to call.

Sincerely,

Robert E. Caron
On-Scene Coordinator
U.S. EPA Region III

MEMORANDUM NO. 122

TO: ALL PERSONNEL, PITTSBURGH FIRE DEPARTMENT

FROM: THOMAS J. KENNELLY, CHIEF

DATE: NOVEMBER 8, 1976

SUBJECT: CLARIFICATION OF PUBLIC SAFETY ROLES

The attached communication from Mayor Flaherty defines the roles of the three basic public safety agencies, concerned with rescue operations in an emergency.

All personnel are directed to implement the provisions of the basic communication.

Thomas J. Kennelly

THOMAS J. KENNELLY
Chief
Pittsburgh Fire Department

Attachment

TJK/det

CITY OF PITTSBURGH

RECEIVED
FIRE CHIEFS
OFFICE
OCT 8 10 10 AM '76
BUREAU OF FIRE
PITTSBURGH, PA.

Supt. Robert Coll
Chief Thomas Kennelly
Mr. Glenn Cannon
Mayor Pete Flaherty

DEPARTMENT

DEPARTMENT

Mayor's

October 7, 1976

Clarification of Public Safety Roles

In order to clarify roles and to reduce confusion at scenes of accident and sudden illness the following guidelines will be adhered to:

1. The Emergency Medical Services Program has the sole responsibility for patient care, extrication and rescue at the scene of an accident or sudden illness, with the exception being the fireground where rescue will be done cooperatively with the Fire Department.

2. The Fire Department has the sole responsibility for fire suppression at the scene of an accident or sudden illness and will assist in patient care, extrication or rescue only at the request of the Emergency Medical Services Officer in Charge of the scene with the exception being the fireground where rescue will be done cooperatively with the Emergency Medical Services Program.

3. The Police Department has the sole responsibility for law enforcement and traffic and crowd control at the scene of an accident or sudden illness and will assist in patient care, extrication or rescue only at the request of the Emergency Medical Services Officer in Charge of the scene.

fkn

PF

COPY

National Transportation Safety Board

Washington D C 20594

Office of the Chairman

9 NOV 1978

Honorable Richard S. Caliguiri
513 Office of the Mayor
City/County Building
Pittsburgh, Pennsylvania 15219

Dear Mayor Caliguiri:

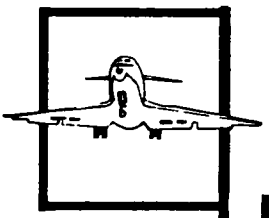
During the National Transportation Safety Board's investigation of the collision of the Port Authority Transit trolley car and bus at the Palm Garden Loop on February 10, 1978, we learned that Chief James Mullen of the fire department's Fourth District assumed the responsibility for coordinating the rescue activities. His actions were positive and decisive and brought about the prompt removal of injured passengers from the wreckage. The Safety Board wishes to commend Chief Mullen for his exemplary services, and we know that the city of Pittsburgh is proud to have such a capable professional working to aid its citizens.

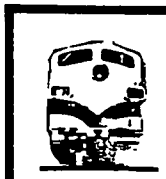
Sincerely yours,

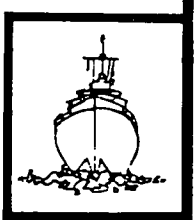
James B. King
Chairman

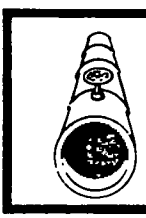
cc: Chief Thomas J. Kennelly
Chief, Pittsburgh Fire Department

Chief James Mullen
Fourth District Fire Department











NATIONAL TRANSPORTATION SAFETY BOARD

WASHINGTON, D.C. 20594

RAILROAD ACCIDENT REPORT

COLLISION OF
PORT AUTHORITY OF ALLEGHENY COUNTY
TROLLEY CAR NO. 1790 AND BUS NO. 2413
PITTSBURGH, PENNSYLVANIA
FEBRUARY 10, 1978

REPORT NUMBER: NTSB-RAR-78-5

UNITED STATES GOVERNMENT

Survival Aspects

The damage to the trolley car would not have been detrimental to the evacuation of passengers. The operator apparently was thrown from his seat and escaped serious crushing injury that would have resulted from the impact with the bus and by the windshield of the bus penetrating the trolley car's windshield. The operator was able to leave the car unassisted.

The bus passengers' injuries were caused by their striking seats and stanchions, being thrown into the floor, and probably by striking each other. The passengers immediately behind the driver were crushed by the deforming metal and thrown into the aisles. The driver was thrown from his seat and one of his legs was pinned by the crushed seat. There were no seatbelts for passengers. The front door was jammed, but PAT personnel who first arrived on the scene forced it open. The side door was inoperable, but it was kicked open by passengers and several exited through the door. Some passengers escaped through the emergency side windows, which opened from the bottom. However, the two right front side windows were jammed when the bus lodged against the catenary pole, and those two windows had to be removed to facilitate the removal of several injured passengers through the windows. All of the passengers were removed from the bus by 8:50 a.m.

The first PAT employees to arrive on the scene immediately began to evacuate passengers and give first aid. The Allegheny County Sheriff's Department arrived about 8:10 a.m. The Pittsburgh Police and Fire Departments were notified about 8:09 a.m. and arrived shortly thereafter. Thirty-six police and fire department vehicles were sent to the accident scene.

The Pittsburgh hospitals were alerted to receive the injured and they implemented their emergency disaster plans without incident. The city's emergency forces apparently have no plan for coordinating operations at the scene of a major accident. No one assumed command and established a central authority or command post at the accident site, although the Fire Chief of the Fourth District did assume some control of activities.

Other Information

The operator of another trolley car testified that on February 14, 1978, 4 days after the accident, and before the Palm Garden Loop switch was made to operate semi-automatically, he was preparing to stop just beyond the switch to discharge an employee. To follow his planned route would have required that the switch be lined for the straight track. He testified that the switch was properly lined, that his speed was below 5 mph, and that he was coasting as he passed through the contactor. He further testified that after his trolley pole was clear of the contactor, but before the switch disappeared from his view, he saw the switch change position and become lined for the curve. Since he was in the

Even though the operation on the PAT BUSWAY is equivalent to an on-the-street operation, it is a dedicated thoroughfare and operators might be lulled into a false sense of security that would not prevail on city streets. Therefore, safeguards should be taken to guard against human error. This becomes especially important through the accident area, since there are no detection or speed control appurtenances in service.

The automobiles that were damaged during the accident undoubtedly were parked along the right-of-way with due consideration for clearance from the PAT BUSWAY traffic by using the catenary poles as guides However, the presence of the catepary poles, though necessary, and the parked vehicles so close to the traffic lanes does not give moving vehicles ample space for evasive action if it becomes necessary. The PAT should consider the elimination of such hazards alongside the busway and in similar congested areas.

The trolley car struck and penetrated the left side of the bus with virtually no penetration resistance, and because of the relative motion of the two vehicles, the penetration was effectively extended along the side. This action caused the greatest amount of energy to be absorbed in the immediate area occupied by the driver and the three passengers who were killed. The driver was not using his seatbelt, but even so it would not have prevented his injuries nor would seatbelts have helped the passengers. All of the fatalities received their injuries because of the impact crushing of their occupiable space. The deforming metal and left front axle/wheel assembly absorbed much of the kinetic energy and thus reduced the potential for injury to passengers outside of the "crush zone." If the impact had been head-on, or if the left front side had been more resistant to crushing, more of the impact energy would have been transmitted through the bus body and there may have been more injuries.

The PAT employees who were the first on the scene did a commendable job in evacuating the passengers and administering first aid. Rescue vehicles had difficulty reaching the area because of congestion. If a preparedness plan had existed and one individual had assumed command, he could have directed the rescue activity and lessened the confusion. Someone should be designated to take command of an emergency situation. All municipalities that have an emergency response capability should have a preparedness plan to cope with emergencies. In an emergency there is not time to organize and still be effective in handling the situation. The foresight of the hospitals and the manner in which they operated is indicative of the benefits to be derived from preparedness.

CONCLUSIONS

Findings

1. The busdriver was operating his vehicle in a manner consistent with acceptable operating practices.

2. The busdriver took evasive action to avoid colliding with the trolley car but it was not effective.

3. During tests on the track switch for the Palm Garden Loop, it could not be made to operate except by a proper operating procedure.

4. The trolley car operator approached the switch contactor conscious of the car ahead and observing the position of the switch.

5. The trolley car operator must have inadvertently caused the switch to line for the curve by some operating action before the car's trolley pole was off of the contactor.

6. The trolley car's speed was greater at impact than the operator estimated.

7. The incident on February 14, 1978, was probably caused by the operator inadvertently performing some operating action before the trolley pole cleared the contactor.

8. The track switch did not align properly on February 14, 1978, because the operator did not at first properly operate through the contactor.

9. Switch protective devices or the implementation of the no-passing rule for buses and trolley cars before the accident probably would have prevented it.

10. Lack of a preparedness plan by the emergency forces of the Pittsburgh Police and Fire Departments and a lack of a central control authority caused unnecessary confusion at the accident site.

11. Even if available, the use of seatbelts by the busdriver or by the passengers who were killed would not have prevented their injuries because of the vulnerable point at which the impact occurred.

Probable Cause

The National Transportation Safety Board determines that the probable cause of this accident was the operator's inadvertent and untimely operation of an unprotected track switch, which caused the trolley car to be routed into the path of the approaching bus. Contributing to the accident was the operator's operation of the car at a speed too great to permit stopping when he detected the turning movement of the car, and the lack of protective devices to control the switch operation.

RECOMMENDATIONS

As a result of its investigation of this accident, the National Transportation Safety Board recommended that:

...the Port Authority of Allegheny County, Pennsylvania:

> "Disable the inherent feature of the trolley car that permits the operation of an electric switch movement by depressing the power pedal. (Class II, Priority Action) (R-78-49)
>
> "Provide switch-operating protection to prevent the Palm Garden Loop and similar switches from being operable when an opposing vehicle is within a danger zone. (Class II, Priority Action) (R-78-50)"

...the Governor of the Commonwealth of Pennsylvania:

> "Encourage and assist municipalities that have emergency response facilities to develop emergency procedures in a disaster plan that includes the designation of a controlling, onscene officer. (Class II, Priority Action) (R-78-51)"

BY THE NATIONAL TRANSPORTATION SAFETY BOARD

/s/ JAMES B. KING
Chairman

/s/ FRANCIS H. McADAMS
Member

/s/ PHILIP A. HOGUE
Member

/s/ ELWOOD T. DRIVER

August 17, 1978

City of Pittsburgh
Richard S. Caliguiri, Mayor

October 13, 1978

Honorable President and Members of Council
510 City-County Building
Pittsburgh, Pennsylvania 15219

Re: Bill No. 1786 of 1978

Dear Mr. President and Members:

Bill No. 1786 of 1978 is a Resolution "Establishing An Emergency Preparedness Council and Comprehensive Emergency Plan."

I have already appointed an Emergency Preparedness Committee consisting of Mr. Richard Cohen of my Office; Glenn Cannon, Director of Emergency Medical Services; Robert J. Coll, Superintendent of Police; Thomas Kennelly, Fire Chief; and John E. Ruff, Director of Public Works. An Emergency Preparedness Plan has been drafted for the Department of Emergency Medical Services and the Committee has scheduled a meeting on October 25, 1978 to review it and to begin the preparation of a comprehensive City-wide plan.

Senate Bill No. 1104, Printer's No. 2107 is presently pending in the General Assembly. This Bill, known as the Emergency Management Services Code, is expected to come up for third consideration in the House when the Legislature returns. Among other things, the Bill provides for the appointment of an Emergency Management Coordinator at the local level and for the preparation of a Disaster Emergency Management Plan consonant with the state plan which is also provided for in the Bill. Local legislation, if any should be needed, should be deferred pending the enactment of Senate Bill 1104 so that the requirements of the statute may be known.

Furthermore, the Law Department has informed me that Bill No. 1786 of 1978 constitutes an ultra vires infringement of an executive function and an improper delegation of a governmental function which is the responsibility of the executive under the Charter; that Bill No. 1786 constitutes

a possible violation of Sections 208, 204 and 308.c. of the Pittsburgh Home Rule Charter; and that the Bill is beyond the power of Council legally to enact. However, let me assure you that I welcome any suggestions and recommendations from members of Council to the Emergency Preparedness Committee. A copy of the Law Department's opinion to me dated October 10, 1978 is attached.

For the foregoing reasons, I hereby veto Council Bill No. 1786 of 1978 and return the Bill unsigned. I suggest that we await the October 25, 1978 review of the Emergency Preparedness Plan and the final action by the General Assembly on Senate Bill 1104, Printer's No. 2107. After the enactment of that Bill, we will be in a better position to determine what, if any, local legislation may be required.

Very truly yours,

RICHARD S. CALIGUIRI

RSC:fkn

Enclosure

City of Pittsburgh

Pennsylvania

DEPARTMENT OF LAW

Mead J. Mulvihill, Jr.
City Solicitor

October 10, 1978

Honorable Richard S. Caliguiri
Mayor
CITY OF PITTSBURGH

Re: Council Bill No. 1786 of 1978 --
Resolution Establishing an Emergency
Preparedness Council and Comprehensive
Emergency Plan.

Dear Mayor Caliguiri:

You have requested my comments with respect to the above Council Bill.

Section 201 of the Pittsburgh Home Rule Charter vests the executive, administrative and law enforcement powers of the City in the Mayor and provides that the Mayor shall control and be accountable for the executive branch of City government. The Charter Summary notes, "The present strong mayor form of government will be maintained." We believe public safety planning is an executive function. Bill No. 1786 purports to delegate the executive function of developing a comprehensive emergency preparedness plan to an Emergency Preparedness Council which is not part of the executive branch of government. We believe this would constitute an ultra vires infringement by the legislative branch upon the legal powers of the executive. See Commonwealth v. Warwick, 185 Pa. 623, a case dealing with the issuance of certain types of licenses, where the Pennsylvania Supreme Court stated:

> "The power being administrative in its nature and lodged in an executive department, it cannot be controlled by councils . . . The resolution was therefore beyond the province of councils and of no effect."

Bill No. 1786 presents certain other problems under the Pittsburgh Home Rule Charter:

Section 102 defines "Unit of Government" as "any subdivision of city government including any department, bureau, division, board, commission . . ."

Section 208 of the Charter provides for the establishment of units of government by ordinance and notes that if the ordinance is introduced by Council, Council shall immediately notify the Mayor who shall within 30 days submit a recommendation to Council. Section 208 further provides that Council shall take no action on the ordinance until a recommendation is received or the 30-day period expires. Bill No. 1786 is in the form of a resolution, and final action was taken on it prior to receiving the recommendation of the Mayor.

Section 214 of the Charter creates still another procedural problem: That Section provides for the appointment by the Mayor of the members of all boards and commissions subject to the approval of Council. Bill 1786 is not consistent with this Section. Furthermore, inclusion of a member of Council may conflict with Section 308.c. of the Charter because such a preparedness council is not one of the listed exceptions.

From a practical viewpoint, Bill 1786 does not appear to be necessary. We understand that you have already appointed an Emergency Preparedness Committee consisting of Mr. Richard Cohen of your Office; Glenn Cannon, Director of Emergency Medical Services; Robert J. Coll, Superintendent of Police; Thomas Kennelly, Fire Chief; and John E. Ruff, Director of Public Works. Director Cannon has informed me that an emergency preparedness plan has been drafted for his department and that the Committee will meet on October 25, 1978 to review it and to develop a comprehensive city-wide plan.

Another question arises about Bill No. 1786 in the light of Senate Bill No. 1104, Printer's No. 2107 which is presently pending in the General Assembly. This Bill, known as the Emergency Management Services Code, is expected to come up for third consideration in the House when the Legislature returns. Among other things, the Bill provides for the appointment of an Emergency Management Coordinator at the local level and for the preparation of a disaster emergency management plan consonant with the state plan which is also provided for in the Bill. Local legislation, if any, should be deferred pending the enactment of Senate Bill 1104 so that the requirements of the statute may be known.

For the foregoing reasons it is the opinion of the Law Department that Bill No. 1786 constitutes an ultra vires

infringement of the executive power; constitutes an improper delegation of a governmental function which is the responsibility of the executive under the Charter; constitutes a possible violation of various sections of the Pittsburgh Home Rule Charter; and is beyond the power of City Council legally to enact.

Very truly yours,

MEAD J. MULVIHILL, JR.
City Solicitor

MJM/h

No.

RESOLUTION

Establishing an Emergency Preparedness Council and Comprehensive Emergency Plan.

Be it resolved by the Council of the City of Pittsburgh as follows:

Section 1. Purpose:

To provide the City of Pittsburgh with a Comprehensive Emergency Preparedness Plan and to establish an Emergency Preparedness Council.

SECTION 2. The City of Pittsburgh shall develop a Comprehensive Emergency Preparedness Plan to provide for the possibility and/or probability of extraordinary fires, snow accumulations, flooding, medical emergencies or common natural disasters.

SECTION 3. The City of Pittsburgh shall establish, within 30 days of final passage of this legislation, an Emergency Preparedness Council, which shall consist of thirteen (13) members, and shall include the Mayor as Chairman, the President of Council, the Superintendent of Police, the Fire Chief, the Director of Emergency Medical Services, the Director of Public Works; three additional members shall be appointed by the Mayor and four additional members by the President of Council.

SECTION 4. The Council shall develop the Comprehensive Emergency Preparedness Plan and update it yearly; a copy of the plan and the yearly update to be filed with the City Clerk.

SECTION 5. Any Resolution or Ordinance or part thereof conflicting with the provisions of this Resolution is hereby repealed so far as the same affects this Resolution.

Enacted in Council, this 3rd *day of* October *A.D. 19* 78

President of Council.

Attest: *Clerk of Council.*

Pro tem

Mayor's Office *19*

Approved:

Mayor

Attest:

Mayor's Secretary.

...corded in Resolution Book, Vol. *Page*, ... *day of* *19*

EFFECTIVE DATE

1786

File No. 1172 Bill No. 1786

No. Vol. Page

RESOLUTION

Establishing an Emergency Preparedness Council and Comprehensive Emergency Plan.

In Council, September 18, 1978, referred to Committee on Public Safety

Clerk.

In Committee on Public Safety

SEP 27 1978 19....., ordered to be returned to Council with an affimative recommendation.

Clerk.

In Council, OCT 3 1978 19....

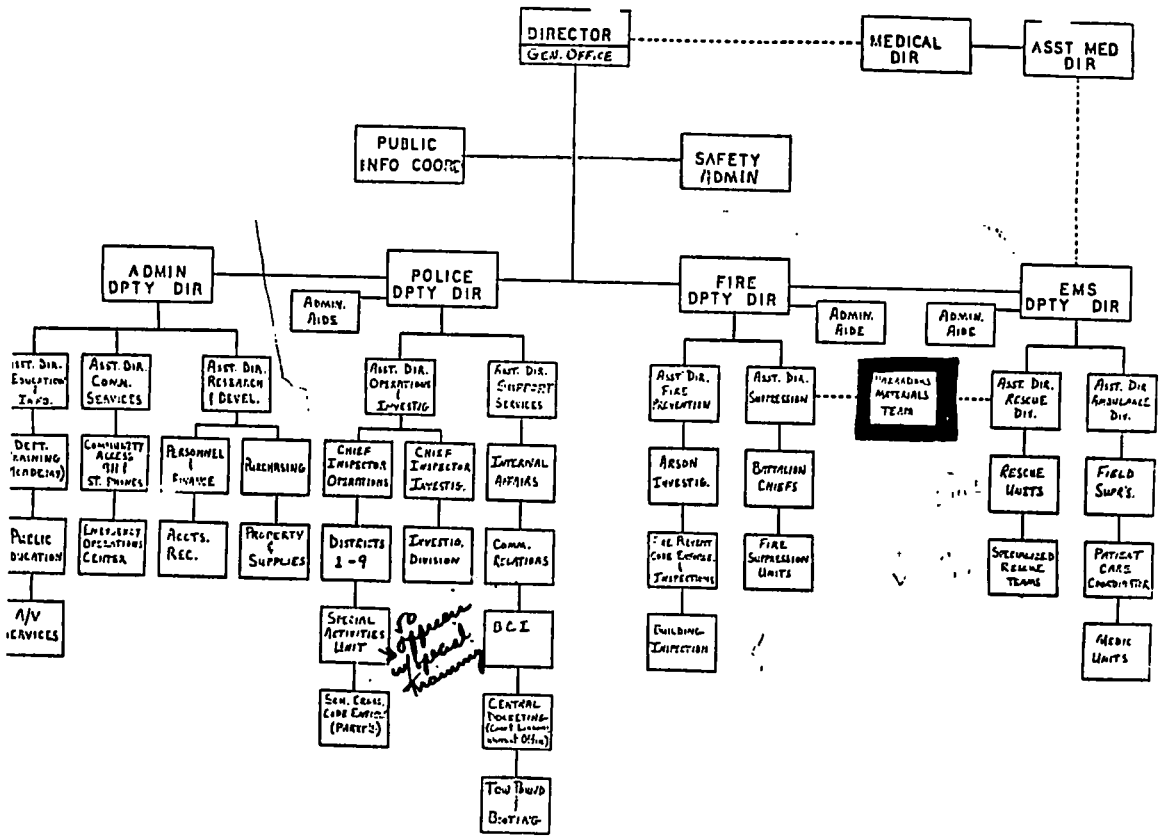
Bill read, and finally passed.

Clerk

Presented by

Mr. Robinson

In Council October 16, 1978 Mayor's Veto sustained by 9 to 0 Vote


DIRECTOR
GEN. OFFICE
MEDICAL DIR
ASST MED DIR
PUBLIC INFO COORD
SAFETY ADMIN
ADMIN DPTY DIR
POLICE DPTY DIR
FIRE DPTY DIR
EMS DPTY DIR
ADMIN. AIDE
ADMIN. AIDE
ADMIN. AIDE
ASST. DIR. COMM. SERVICES
ASST. DIR. RESEARCH & DEVEL.
ASST. DIR. OPERATIONS & INVESTIG
ASST. DIR. SUPPORT SERVICES
ASST. DIR. FIRE PREVENTION
ASST. DIR. SUPPRESSION
HAZARDOUS MATERIALS TEAM
ASST. DIR. RESCUE DIV.
ASST. DIR. AMBULANCE DIV.
COMMUNITY ACCESS 911 & ST. PHONES
PERSONNEL & FINANCE
RECRUITING
CHIEF INSPECTOR OPERATIONS
CHIEF INSPECTOR INVESTIG.
INTERNAL AFFAIRS
ARSON INVESTIG.
BATTALION CHIEFS
RESCUE UNITS
FIELD SUP'S.
EMERGENCY OPERATIONS CENTER
ACCTS. REC.
PROPERTY & SUPPLIES
DISTRICTS 1-9
INVESTIG. DIVISION
COMM. RELATIONS
FIRE SUPPRESSION UNITS
SPECIALIZED RESCUE TEAMS
PATIENT CARE COORDINATOR
SPECIAL ACTIVITIES UNIT
DCI
MEDIC UNITS
CENTRAL DISPATCHING
TOW BOARD & BOATING

VEHICLE REPAIR

PRESENT

- TRUCK BREAKS DOWN
- DEPUTY NOTIFIED
- GENERAL GARAGE SUPERINTENDANT NOTIFIED
- GENERAL MECHANIC NOTIFIED
- MECHANICS RESPOND (EXCEPT WEEKENDS & HOLIDAYS)
- TRUCK REPAIRED OR TOWED

NEW "PLAN"

- TRUCK BREAKS DOWN
- DEPUTY NOTIFIED
- ADMINISTRATIVE BRANCH NOTIFIED (WHO??)
- GENERAL GARAGE SUPERINTENDANT NOTIFIED
- MECHANICS NOTIFIED
- MECHANICS RESPOND
- TRUCK REPAIRED OR TOWED

OUR PROPOSAL

- TRUCK BREAKS DOWN
- DEPUTY NOTIFIED
- FIRE MECHANIC ORDERED TO SCENE
- TRUCK REPAIRED

VEHICLE PURCHASE

PRESENT

1982-1. FIRE DEPT. NOTIFIES ADMINISTRATION OF NEED.

1983 2. FIRE DEPT. DRAWS SPECS-SUBMIT TO GENERAL SERVICES.

3. GENERAL SERVICES REVISES SPECS.

1984 4. GENERAL SERVICES ADVERTISES FOR TRUCKS.

JULY '84 5. CONTRACT AWARDED.

1985 6. 1ST TRUCK DELIVERED (EARLIEST JUNE '85)

RESULT- 3½ YR. DELAY AFTER ADMINISTRATION NOTIFIED OF NEED.
-TRUCKS HAVE BEEN DELIVERED WITH IMPROPER DESIGN.

NEW "PLAN"

1. FIRE DEPT. NOTIFIES ADMINISTRATIVE BRANCH OF NEED.
2. WHO DRAWS SPECS?
3. WHO REVISES SPECS?
4. ADMINISTRATIVE BRANCH NOTIFIES ADMINISTRATION OF NEED.
5. ADMINISTRATIVE BRANCH SUBMITS SPECS.
6. GENERAL SERVICES REVISES SPECS.
7. GENERAL SERVICES ADVERTISES FOR TRUCKS.
8. CONTRACT AWARDED.
9. TRUCKS DELIVERED.

RESULT- MORE DELAYS & QUESTIONS. RE-DESIGN

OUR PROPOSAL

1. FIRE DEPT. DRAWS SPECS.
2. FIRE DEPT. ADVERTISES FOR BIDS.
3. CONTRACT AWARDED.
4. TRUCK DELIVERED.

RESULT—TRUCK DELIVERED 2½ YRS. EARLIER WITH PROPER EQUIPMENT & DESIGN

CITY OF PITTSBURGH

TO: Robert Coll — DEPARTMENT: Police
Charles Lewis — Fire
Glenn Cannon — Emergency Medical Services

FROM: David M. Matter — DEPARTMENT: Mayor's Office

DATE: September 14, 1984

SUBJECT: Hazardous Materials and Emergency Preparedness Plans

As a result of the recent incident in Lawrenceville, the Mayor and I have become convinced that we need to do more to ensure the safety of our citizens in the event of a major emergency disaster, or hazardous materials incident. Accordingly, I would like each of you to immediately begin contemplating what needs to be done to insure that we are as prepared as one can be to handle these types of situations in a coordinated, professional manner.

My secretary will be scheduling a meeting within the next few weeks to hear all of your views on this subject and to begin to lay the framework for whatever changes need to be made. Some of the topics we need to discuss include:

1. The development of a group of volunteers from all three departments especially trained to handle major emergencies or hazardous materials incidents.

2. Your recommendation concerning the command structure in the event of a major incident.

3. What type of training and equipment would be necessary? What types of supplies need to be stockpiled?

4. Should this group of volunteers have their own insignia indicating their independence and unique status?

5. Should selected individuals from other departments be involved with this group (e.g., heavy equipment operators)?

6. What type of evacuation plans do we or should we have?

FEMA

7. Is there a need for a central command facility that the Mayor and selected department heads would operate from during a major emergency situation?

8. What other non-City agencies must we have links with to handle a major crises (e.g., Red Cross)?

9. Under what conditions should the Mayor declare a state of emergency and what events would this activity trigger?

I would like to discuss these and other related issues at our session. I would also like to discuss which individual(s) from each department would be responsible for all of the planning activities to follow. Please feel free to include in the meeting anyone from your department that you feel should attend.

While I am aware that there have been some preliminary discussions on this subject among some of you already, I think the issue is of such importance that the Mayor's Office needs to be personally involved. In addition to my office, the Budget Office will also be available to assist in the overall planning effort.

cc: Ben Hayllar
Mina Gerall
Jim Turner
Bernie Schneider

Gatz, Cohen, Segal and Koerner, P.A.

Attorneys at Law

ARTHUR D GATZ JR
ALLAN H COHEN
STANFORD A SEGAL
RONALD P KOERNER
RAYMOND N SANCHAS
BETTY ORA GRACE MESLER

LAW AND FINANCE BUILDING
PITTSBURGH, PA 15219

261 1380

December 17,1984

Bernard Burns
Fire Fighters,Local 1
5308 Keystone Street
Pittsburgh,Pa.15201

Dear Mr.Burns:

It has come to my attention that the Mayor of the City of Pittsburgh has proposed certain changes to the Fire Bureau as part of the over-all plan for the Department of Public Safety. As I understand it, the Mayor intends to propose to Council that there be retained in the Bureau the Fire Chief and five Deputy Chiefs. These positions would continue to be filled through competitive exam under the Civil Service law.

The Mayor also has indicated that he intends to appoint two assistant directors for the Bureau of Fire, whose ranks would be just below the Fire Chief and just ahead of the Deputy Chiefs. It is clearly our understanding that the Mayor intends to make these appointed positions. This would be contrary to the Civil Service laws of the Commonwealth of Pennsylvania.

Section 1 of the Civil Service Act states that "all positions in the Bureau of Fire", except the chief officer of the Bureau, shall be in the competitive class of the civil service. This requires, therefore, that anyone holding anyone a rank below the position of Chief must take competitive exams and be covered by the Civil Service laws. This also means, of course, that any rank below the Chief cannot be an appointed position.

Under the circumstances, therefore, it is my position that the proposed plan for the Public Safety Department, which includes the appointment of assistant directors for the Bureau of Fire, which positions are below that of Chief, is illegal under the Civil Service laws of this Commonwealth.

Very truly yours,

Stanford A. Segal

SAS:mls

Stanford A.Segal

FIREMEN'S CIVIL SERVICE STATUTE

1939, June 27, P.L. 1207 as amended

Section 1 (23491.)

All positions in bureaus of fire, except as here and after provided, and all positions of fire alarm operators and fire alarm box inspectors in bureaus of electricity, in cities of second class, shall be in the competitive class of the civil service of such cities. This act shall not apply to or include chief officers of bureaus of fire under the director of the department, by whatever title his position may be designated, nor to chief clerks in bureaus of fire in such cities.

Section 2 (23492.)

The civil service commissions in cities of the second class shall not have the power to change any rule or regulation which shall have been established and which is in force and effect on the date of the approval of this act, in so far as the same shall apply to the positions provided in this act to be in the competitive class; nor shall any such commission have the power to waive any such rule or regulation in any specific case or cases.

Section 3 (23493.)

Each applicant for original appointment to a position in the competitive class in any bureau of fire in any city of the second class, or to the position of fire alarm operator or fire alarm box inspector in any such city, shall undergo a physical examination which shall be conducted by a commission composed of doctors of medicine appointed for that purpose by the mayor. Said commission shall certify to the Civil Service Commission that the applicant is free from bodily or mental defects, deformities or diseases that might incapacitate him from the performance of the duties of the position he is seeking. No application for such appointment shall be received from any person who is under eighteen years of age or over thirty-five years of age at the date of his application, except that an applicant for the position of fire alarm operator or fire alarm box inspector in any such city, may be over thirty-five years of age at the date of his application. Nor shall any such application be received from any person who shall not have been a bona fide resident of the city for one year next preceding the date of his application: Provided, however, That any applicant for reinstatement as a member of the bureau of fire or as a fire alarm operator or as a fire alarm box inspector of any such city in which he makes such application, who shall have served previously as an employe in such bureau for a period of more than six months and who, at the time of his application for reinstatement shall be a resident of such city, shall be eligible for such reinstatement even though such applicant shall be over the age of thirty-five years.

Section 3.1 (23493.1)

(a) Both original appointments and promotions to any position in the competitive class in any bureau of fire in any city of the second class shall be made only from the top of the competitive list: Provided, however, That the appointing officer may pass over the person on the top of the competitive list for just cause in writing. Any person so passed over shall, upon written request, be granted a public hearing before the Civil Service Commission.

OAKLAND, CALIFORNIA (415) 273-3856 CHIEF GRAY POPULATION: 350,000
Have City Council-City Manager form of government. No Public Safety Director. Fire Chief - 2 Deputy-- Platoon Commander - Asst. Chief - Battalion Chiefs, Capt.,Lt.,In case of disaster Police Chief in charge. In a fire situation Fire Chief solely in charge.

SAN DIEGO, CALIFORNIA (614) 228-8308 CHIEF HUNTER POPULATION: 700,000
Mayor - City Council form of Government. No Public Safety Director. Chief - Asst. Chief, Dep, Division Chief, Capt, No Lt. Chief is solely responsible for fire emergency. In event of disaster Police Chief in charge.

SAN JOSE, CALIFORNIA (408) 277-4000 JUNE(CHIEF'S OFFICE) POPULATION: 675,000
No Public Safety Director. Mayor - City Council - City Manager form of government. Chief, Asst. Chief, 3 Dep, 17 Battalion Chiefs, Cap, Engineer, Fire Fighter. In event of disaster Mayor - City Manager have ultimate responsibility. At Fire Fire Chief has sole responsibility.

SACRAMENTO, CALIFORNIA (916) 449-5266 CHIEF FEIL POPULATION: 290,000
Fire Chief - 3 Dep, Battalion Chiefs, Capt, No Lts. Mayor - City Council - City Manager. Emergency Planning Coordinator is Fire Captain. No Public Safety Director. Fire Dept. solely responsible for Emergency Planning, Coordination. Fire Chief has sole responsibility at fire.

DENVER, COLORADO (303) 575-3435 LARRY SPENCER POPULATION: 510,000
Mayor - City Council - Manager of Safety Police Fire Sheriff Dept.
Fire Chief - 29 Asst. Chief, Captain, Lt. 1 Administrative Assistant who is Asst. Chief. Chief has sole control over everyone in disaster. It is written in charter includes mayor on down.

MEMPHIS, TENNESSEE (901) 527-1400 DWAYNE THOMPSON POPULATION: 623,530
Mayor - Council Form of Government. No Safety Director. Police - Fire Dept. Separate Fire Director. 1 Deputy Director, Deputy's, District Chiefs, No formal disaster coordination plan in effect. Fire Director has total control over a fire scene.

MIAMI, FLORIDA (305) 579-6300 CHIEF MCULLOUGH POPULATION: 334,859
City Manager - Mayor - City Commission. No Safety Director - Chief, 3 Asst. Chiefs, Division Chiefs, Captain ride aerials Lt. ride pumpers. Chief reports directly to City Manager. Chief has sole responsibility at fire. County handles Emergency Disaster Coordination.

HOUSTON, TEXAS (713) 222-3011 JUDY FISCHER POPULATION: 1,232,802

Mayor-City Council, Chief, 3 Asst. Chiefs, Deputy Chiefs, Senior Captain, Junior Captain, Chauffer drives rigs or chiefs car, Pipe and Ladder Men, Battalion Chief Liason with Civil Defense Dept. in event of catastrophe.Chief solely in charge in case of fire also buying Equipment.

DALLAS, TEXAS (214) 670-3011 or 4315 POPULATION: 844,401

City Manager, Appointed by City Council. Chief in charge of fire scene. 4 Asst. City Managers. One Oversees Police and Fire, does not have power over Chief at fire. Do have Office of Emergency Preparedness to handle catastrophes. J.J. HOWE-Public Information Officer.

FORT WORTH, TEXAS (817) 870-6800 (CPT.STONE) POPULATION: 393,476

No Public Safety Director - City Manager, Asst. City Manager, Administrator only oversees Police and Fire. Chief directly in charge at fire, Deputy Chiefs, District Chief, Captain, Lt., Firefighters. Have Disaster Director coordinates out of Civil Defense Office.

NASHVILLE, TENNESSEE (615) 259-5421 (CHF DEVAULT) POPULATION: 480,000

They have Safety Director - Mayor - City Council. Safety Director in charge of fire only. Was taken from ranks is himself a firefighter. Chief, Dep, Asst. Chief, 6 Dist. Chiefs, Capt, FF, Civil Defense Coordinator disasters.

PORTLAND, OREGON (503) 248-4375 POPULATION: 379,967

Mayor-City Council form of Government. No Public Safety Director, Chief is solely in charge at scene of fire. 3 Deputy Chief, Battalion Chiefs, Capt, Lt, Firefighters. Have Office of Emergency Services for disasters. Chief still in charge at fire-catastrophes. Answers directly to Mayor.

OKLAHOMA CITY, OKLAHOMA (405) 235-3314 POPULATION: 450,000

No Public Safety Director. City Mayor-Council Chief Benson who I spoke to. City Manager-Chief answers directly to him. 2 Asst. Chief, 9 Deputy Chiefs, 5 District Chiefs. Cap - Engineers are paid drivers. Chief has complete control at fire scene.

LEXINGTON, KENTUCKY (606) 254-1120 POPULATION: 200,000 +

They have Public Safety Director in Charge of Police and Fire. Administrator only. Have mayor-city council form of government. Chief, 1 Deputy Chief. Asst. Chief Majors, Capt, Lt. In event of disaster a coordinated effort supervised by the Public Safety Director is expected. Firefighter Poage.

BUFFALO, NEW YORK (716) 855-5333 POPULATION: 462,768
No Public Safety Director. Fire Commissioner in charge, 2 Deputy Commissioners, 4 Division Chiefs - Battalion Chief's below them. Mayor form of Government, Citizens Council.

BOSTON, MASSACHUSETTS (617) 442-8000 POPULATION: 641,071
No Public Safety Director. Fire Commissioner in charge. Spoke to FF MURPHY
Mayor form of government, City Council.

CINCINNATI, OHIO (513) 352-3000 POPULATION: 451,455
Mayor City Manager - 9 Council People. They have Public Safety Director In Charge of Police, Fire Telecommunications, Administration background only. Not in charge at the scene of a fire.

COLUMBUS, OHIO (614) 222-6021 POPULATION: 540,025
Yes, they have Public Safety Director in charge of Paramedics, Police, Fire. Not in charge at scene of fire. Administration background - Administrator Only
Mayor, City Council.

SEATTLE, WASHINGTON (206)625-4073 POPULATION: 530,831
They have Public Safety Director who is in charge of Fire only. He is former fireman, they have Mayor, City Council, form of Government.

NEWARK, NEW JERSEY (201) 733-7491 POPULATION: 381,930
They have Fire Director and separate person who is Police Director. They are both administrators with administration background. Fire Chief in charge at fire. Mayor-City Council.

NORFOLK, VIRGINIA (804) 441-2481 (CHIEF STONE) POPULATION: 307,951
Have no Public Safety Director. They have Fire Chief, Operations Chief who run the fire. They have a City Manager - Administration Only. City Council hires City Manager-he works for them.

MILWAUKEE, WISCONSIN (414) 276-5656 POPULATION: 717,372
No Public Safety Director, No Emergency Management Plan Coordinator. They have Chief, Asst. Chief, Deputy's. They have Mayor form of government with City Council. Chief reports directly to Mayor. Whoever has catastrophe takes charge.

SAN ANTONIO, TEXAS (512) 299-8400 POPULATION: 654,153
No Public Safety Director. City Manager form of Government. Two Assistant City Managers manage Fire, Police, Aviation. They have Chief, 2 Deputy Asst. Chiefs. In case of fire Chief is only one responsible. They have City Council who hires City Manager. CHIEF JIM MILLER.

TULSA, OKLAHOMA (918) 588-9444 CHIEF MURPHY POPULATION: 385,000
Mayor - 4 Commissioners (Not Councilmen) One Commissioner in charge of Fire, Police. Qualifications - did work for FBI. No Public Safety Director. Fire Chief in charge at Fire. 2 Deputys, 5 Dist. Chiefs, 1 Swing Shift Chief, 3 Asst. Chiefs. Chief submits requests for equipment to Commissioner and they must approve it. Chief reports to Commissioner in charge of Fire and Police. General procedures and guidelines, but no E.M.O. for all catastrophic situations. NO EMERGENCY MANAGEMENT OPERATION.

COLUMBUS, GEORGIA (404) 322-5836 CAPT. BILL COLLINS POPULATION: 187,000
Mayor - Council. No Public Safety Director. Chief answers to Mayor. Chief in charge at Fire, Equipment and Manpower is requested by Chief approved by Mayor and Council. Chief, 1st Asst and 2nd Asst. Chief, 8 Battalion Chiefs. HAVE DISASTER PLAN.

ST. LOUIS, MISSOURI (314) 622-3223 MR. WEHRLE POPULATION: 420,000
Mayor - Board of Aldermen (28). Have Public Safety Director. Fire, Bldg. Div., Smoke and Air Pol. (Not Police), Chief is in charge at Fire. Chief, 1 Asst. Chief, 4 Deputy, 1 for Fire Prevention. P.S.D. not involved in manpower, equipment, or scheduling. Chief reports to Public Safety Director. DISASTER PLAN UNKNOWN.

JERSEY CITY, NEW JERSEY (201) 547-4248 POPULATION: 240,000
Mayor - Council. Have Public Safety Director. 1 Chief, Deputy Chief,18 Battalion Chiefs. Police and Fire are under Public Safety Director. Public Safety Director not involved at fires or in manpower, equipment, scheduling. Does not say what equipment is used. Chief reports to Public Safety Director. NO DISASTER PLAN.

ERIE, PENNSYLVANIA (814) 456-8561 CHIEF BREON POPULATION: 118,000
Mayor - Council. MAYOR ASSUMES RESPONSIBILITY OF PUBLIC SAFETY DIRECTOR. Chief is in charge at Fire overall. Chief in charge of manpower and scheduling and equipment. 5 Deputy Chiefs, No Battalion Chiefs. Chief reports directly to the Mayor. HAVE DISASTER PLAN.

ST. PAUL, MINNESOTA (612) 222-0477 DEPUTY CHIEF FANEN POPULATION: 270,000
Mayor - Council. No Public Safety Director. Chief, 2 Asst. App. Chief, 3 Deputy Chiefs, 15 District Chiefs. Chief is in charge of Fires, Supt. of Police is in Police matters, such as Riots. Chief reports directly to Chief Executive. Fire Department is separate unit. Director writes out instructions for catastrophies that are to be followed by Dept. Heads. HAVE A DISASTER PLAN.

PARMA, OHIO (216) 845-1217 CLIFF TAYLOR POPULATION: 100,000
Mayor - City Council form of government. Chief, Asst. Chief, Capt,. Lt. FF.'
Have Public Safety Director in charge of Police and Fire. Mayor is Acting
Public Safety Director, Chief still has sole responsibility at fire.

RALEIGH, NORTH CAROLINA (919) 890-3270 ASST. CHIEF KEAN POPULATION: 170,000
Mayor - City Council - City Manager type of government. No Public Safety Director.
Chief, 3 Asst. Chiefs, 11 District Chiefs, Captain, FF. Disaster Commission
handled by County.

ALBANY, NEW YORK (518) 463-3128 CHIEF BRUCE POPULATION: 111,000
Strong Mayor - Common Council - Public Safety Commissioner. Hire Civilian,
management only. Chief, Deputy Chief, Battalion Chief, Capt., Lt., FF. No
Disaster Coordinator. Chief solely responsible at Fire. At catastrophe
Police and Fire work together.

ANN ARBOR, MICHIGAN (313) 994-2772 BILL POLAND POPULATION: 100,000
City Manager - City Council form of government. No Public Safety Director.
Fire Chief, Asst. Chief, 3 Battalion Chiefs, Capt., Lt., Sgt., FF. Chief
is solely responsible at Fire. Police and Fire work together at catastrophe.

DES MOINES, IOWA (515) 283-4237 CHIEF WILLIAMS - L.A. SHIRLEY MATTINGER
E.PRO DIR. POPULATION: 200,000
City Manager appointed - Mayor - City Council . Mayor is a member of Council.
Chief in charge at Fire. Chief answers to City Manager directly. Equipment and
Manpower are set or requested by Chief, but appointed by Council. Disaster Plan
not yet but are working on one (NO DISASTER PLAN).

EVANSVILLE, INDIANA (812) 426-5609 DANA STONEBURGER,Chief's Sec. POPULATION: 138,000
Mayor - City Council. Have a Safety Board. Requests for manpower and equipment
are made by Chief and approved by Council. Chief, 1 Deputy, 3 Battalion, 6 Dist.
NO DISASTER PLAN.

SYRACUSE, NEW YORK (315) 473-5526 CHIEF HESS POPULATION: 170,000
Mayor - Council. No Public Safety Director. Fire Department is separate unit.
Chief is in charge at Fires. He reports directly to the Mayor. NO DISASTER PLAN.

BIRMINGHAM, ALABAMA (205) 323-8304 POPULATION: 287,000
Mayor - City Council. No Veto Power over Fire Dept. No Public Safety Director.
1 Deputy, 1 Chief of Training, 1 Chief Fire Marshal for Fire Prevention
1 Chief EMS, 1 Com Total 12 Bat Chiefs.Direct Communication from Chief to
Mayor. At scene of Fire Chief solely in charge. DISASTER PLAN UNKNOWN

CHIEF MONROE POPULATION: 448,000

KANSAS CITY, MISSOURI (816) 274-1393 (816) 531-2121 DIRECTOR(CHIEF) ED WILSON
Mayor - Council.Have City Manager - he has no say so at Fire. Director Chief in charge at fires. 4 Deputy, 26 Batt. Chief reports to the City Manager (Staff of 6) app. by City Council.The City Manager is app. by Council. He in turn appoints the Fire Chief. Council cannot veto this move, however, they can terminate the City Manager which is a political position. HAVE DISASTER PLAN.

AKRON, OHIO (216) 375-2410 JIM HARRIS, JACK SHELTON, SASHA POPULATION: 235,000
Mayor - 3 Deputy Mayors - Council. No Public Safety Director. 1 Chief, 2 Deputy Chief in charge at Fire. He has direct communication with Mayor, but in some small cases he would report to 1 of 3 Deputy Mayors. This Chief is covered by Civil Service. HAVE DISASTER PLAN.

YOUNGSTOWN, OHIO (216)743-2141 EXT.20 CHIEF KERNAN POPULATION: 110,000
Mayor - Council. No Public Safety Director. Chief, 3 Asst. Chiefs, Fire Inspector, 3 Battalion Chiefs. Chief in charge at Fire. Chief reports to Mayor. NO DISASTER PLAN.

SCRANTON, PENNSYLVANIA (717) 343-3192 POPULATION: 90,000
Mayor - Council (5) Have Public Safety Director in charge of Police and Fire. Background: Former U.S. Attorney. Chief in charge at fire. 1 Chief, 1 Deputy 4 Asst. Chief, 4 Dist. Chiefs. Chief responsible for equipment and manpower but has to have approved can only submit. (Council and Mayor must approve). Chief reports to Public Safety Director. NO DISASTER PLAN.

CHARLOTTE, N. CAROLINA (704) 336-2810 POPULATION: 350,000
Mayor - City Council. Have City Manager; No Public Safety Director. Fire Dept. is under the City Manager. Chief in charge at Fire. Mayor, City Manager, Asst. City Manager, Chief of Fire Department. HAVE DISASTER PLAN.

NEW YORK (718) 403-1416 (718) 403-1220 CHIEF PENDER POPULATION: 7.5 MILL
Mayor - Council. Each Unit has Safety Dep. (Separate Dept.) (Appointed Commissioner) in charge. Chief is Civilian. 6 Deputy Commissioners, 1 Asst. Chief of Dept. is in charge at fire over everyone. Chief reports to Commissioner. Manpower request presented to Mayor by Chief. Chief, 4 Star Chiefs, (3) Asst. Chiefs. Chief reports to Commissioner. HAVE DISASTER PLAN. Seems to have the best plan and would share this plan with out Local. Going to request that Chief Pender send Emergency Management Operation Plan to our Dept.

LOUISVILLE, KENTUCKY (502) 587-3701 DEP.CHIEF FEKETE POPULATION: 280,000
Mayor - Council. Have Public Safety Director. , Politically Appointed. Chief, 2 Deputy Chiefs, 21 District Chiefs (4 Districts) 2 Dep. 2 Asst. Chiefs, 21 Battalion Chiefs. Fire Chief is solely in charge at fire. Chief Has say so for equipment (Council Budgets) Chief reports to the Public Safety Director. NO DISASTER PLAN. No Local Toxic Substance Plan - Have State Wide Deal.

COLORADO SPRINGS, COLORADO (303) 578-6820 DEP. CHIEF ROMAN POPULATION: 240,000
Mayor is member of Council. No Public Safety Director. City Manager hired by Council - Backgound: Business Admin. and Public Admin Degrees. Chief answers to City Manager. Chief in Charge at Fire. Chief and City Manager request equipment aa needed but Council approves or disapproves it. City Manager appoint manpower as needed. Chief, 3 Deputy, 7 Battalion Chiefs. NO DISASTER PLAN.

DULUTH, MINN. (218) 723-3200 MRS. ANDERSON, Chief Sec. POPULATION: 85,000
Mayor - Council. No Public Safety Director. Chief in charge at Fire. Chief answers to Mayor. Chief requests Manpower and Equipment. Council has to approve. HAVE DISASTER PLAN.

CANTON, OHIO (216) 489-3438 ASST. CHIEF DRAY POPULATION: 95,000
Mayor - Council. Service Safety Director (Council Cannot Veto This Man He Is Appointed). He has a Management Background. Chief reports to Service Safety Director. (He is similar to a Public Safety Director) Chief is in charge of everyone at Fire. Chief recommend equipment to Council and Manpower and they must approve it. Chief, Asst. Chief, Captain. No Battalion Chiefs. NO DISASTER PLAN.

ALLENTOWN, PENNSYLVANIA (215) 437-7765 ASST. CHIEF BOB WALLITSCH POPULATION:102,000
Mayor - Part Time Council. Mayor is Public Safety Director. Chief is in charge at grounds or ranking Fire Officer. Manpower set they have to fill vacancys accordingly. Deputy Chief in Charge of Scheduling and Equipment (ASST. CHIEF BOB WALLITSCH) Direct Communication between Chief and Mayor. Chief, 2 Asst. Chief, 6 Deputy, Lt. Next. (NO BATT CHFS OR CAPTS) NO DISASTER PLAN.

DAYTON, OHIO (513) 443-4200 MR. FORD-FIRE PREVENTION POPULATION: 196,000
Mayor - City Commission. No Public Safety Director. Chief, 1 Deputy, 5 Bureas City Manager, Asst. City Manager-Community Services. Chief is in cnarge at Fire HAVE DISASTER PLAN.

CLEVELAND, OHIO (216) 621-1223 CHIEF MACKNAMY POPULATION: 550,000
Mayor - Council Could App. Have Public Safety Director over Police, Fire, EMS Fire Chief runs Fire. Chief, 5 Asst. Chiefs, 32 Bat. Chief. Chief reports to Public Safety Director. Public Safety Director not involved in Manpower and Scheduling. Public Safety Director doesn't pick Equipment. Chief reports to the Public Safety Director or Asst. Public Safety Director.NO DISASTER PLAN.

LINCOLN, NEBRASKA (402) 471-7363 CHIEF MIKE MERWICK POPULATION: 172,000
Mayor - Council. No Public Safety Department. Chief reports directly to Mayor. Chief solely in charge at scene of Fire. They HAVE DISASTER PLAN run by Fire Chief. Asst. Chief, 10 Deputy.

SUNNYVALE, CALIFORNIA (408) 738-5729 LT WILLIAMS POPULATION: 108,000
Mayor - Council-City Manager. Have Safety Director. Education: B.S. Administration of Justice. Fire Division-Commander in charge at fire. Fire Division Commander, 3 Capt, 6 Lt. They HAVE DISASTER PLAN and the Fire Commander reports to the Public Safety Director.

PEORIA, ILLINOIS (309) 672-8981 POPULATION: 125,000
Mayor-City Council - Public Safety Director.-City Manager. Chief solely in charge at fire. Chief reports directly to City Manager. Appointed Chief, Appointed Deputy, Asst Chief, Battalion Chief, Capt, Engineer, FF. HAVE DISASTER PLAN. Public Safety Dir.Forme Policeman

DURHAM, NORTH CAROLINA (919) 683-4242 POPULATION: 112,000
Mayor - Council - City Manager. They have Public Safety Director. Education:B.S. Degree in Government. Administration, Chief is not in charge at fires. Chief reports directly to City Manager. NO DISASTER PLAN.

WINSTON SALEM, NORTH CAROLINA (919) 727-2825 CRAIG FRASER POPULATION: 145,000
City Manager - Mayor - Board of Aldermen. Chief in charge at fire. No Public Safety Director. HAVE DISASTER PLAN-Handled by County Civil Defense Department.

ST. PETERSBURG,FLORIDA (813) 530-6822 RANDY MILLER POPULATION: 220,000
City Manager - Council. City Manager is Chief Executive. No Public Safety Director. Chief reports directly to Chief Executive. Chief is solely in charge at scene of fire. No Public Safety Director. They had Public Safety Director. This did not work because (1) It was too costly; (2) Inneffective; (3) High Turnover; (4) It was too hard for Police and fire to merge under 1 Department. Formerly they had Police head in charge of Public Safety Department. This didn't work becuase the Police tried to dominate the Fire Department. It was their feeling that anyone from one department or the other would try to dominate the other making the Public Safety Director ineffective. DISASTER PLAN UNKNOWN.

BALTIMORE, MARYLAND (301) 396-3100 POPULATION: 900,000
Mayor - City Council. Have Safety Director just for Fire Dept. Chief, Deputy Chiefs, Fire Commissioner, Capts., Lt. Chief is solely responsible on fire ground. They have Disaster Coordinator - Coordinate all depts. work together.

NEW ORLEANS, LOUISIANA (504) 581-6200 POPULATION: 565,000
Strong Mayor - City Council Police handle Medics. Mayor appoints City Manager. City Manager has no authority on fire ground. Chief is head at fire emergency. Dept. of Civil Defense coordinates emergencies. Chief, 1st Asst. 2nd Asst., District Chiefs, Capts, No Lts.

INDIANAPOLIS, INDIANA (317) 633-6041 POPULATION: 800,000
Public Safety Director - EMT
1 Chief - Asst. Chief, 3 Division Chief, 4 District Chiefs, Capt., Lt.
Mayor - City County Council
Dep Mayor MARK RIHM _ Deputy Fire Marshall

GREENSBORO, NORTH CAROLINA (919) 373-2356 MRS. BROWN POPULATION: 161,000
Mayor - Council. No Public Safety Director. Have City Manager. Chief, 2 Deputy Chief, 3 Asst. Chiefs, 9 Battalion Chiefs. Chief in charge at Fires. Chief reports to City Manager. They have a director of Emergency Management. SEMI-DISASTER PLAN from what I could understand. Mrs. Brown would not commit herself.

POPULATION BREAKDOWN

TOTAL CITIES SURVEYED - 60

CITIES WITH 100,000 - 200,000 POPULATION	
CITIES THAT HAVE CITY MANAGER	6
CITIES DON'T HAVE CITY MANAGER	13
CITIES WITH 200,000 - 500,000 POPULATION	
CITIES THAT HAVE CITY MANAGER	13
CITIES DON'T HAVE CITY MANAGER	13
CITIES WITH 500,000 - 1 MILLION POPULATION	
CITIES THAT HAVE CITY MANAGER	4
CITIES DON'T HAVE CITY MANAGER	9
CITIES WITH OVER 1 MILLION POPULATION	
CITIES THAT HAVE CITY MANAGER	0
CITIES DON'T HAVE CITY MANAGER	2

CITIES WITH 100,000 - 200,000 POPULATION	
CITIES THAT HAVE PUBLIC SAFETY DIR.	5
CITIES DON'T HAVE PUBLIC SAFETY DIR.	14
CITIES WITH 200,000 - 500,000 POPULATION	
CITIES THAT HAVE PUBLIC SAFETY DIR.	7
CITIES DON'T HAVE PUBLIC SAFETY DIR.	19
CITIES WITH 500,000 - 1 MILLION POPULATION	
CITIES THAT HAVE PUBLIC SAFETY DIR.	3
CITIES DON'T HAVE PUBLIC SAFETY DIR.	10
CITIES WITH OVER 1 MILLION POPULATION	
CITIES THAT HAVE PUBLIC SAFETY DIR.	0
CITIES DON'T HAVE PUBLIC SAFETY DIR.	2

Glenn M. Cannon
Age: 37.
Residence: Highland Park.
Married: Wife, Catherine; two sons: Glenn M. Jr., 8; Grant W., 2.
Duties: Director of city's Emergency Medical Services; responsible for all ambulance and rescue services in the city.
New Responsibilities: To manage and oversee fire, police and Emergency Medical Services operations in the new Department of Public Services.
Education: Bachelor of Science in Education, Indiana University of Pennsylvania, 1971.
Professional Background: Assistant director of the West Shore YMCA in Harrisburg, in 1971; assistant director of Allegheny County Emergency Medical Services council, 1972; assistant director of Emergency Medical Services project of the Comprehensive Health Planning Association of Southwestern Pennsylvania, 1973-74; Pittsburgh Emergency Medical Services department 1975-present, director since 1978.



Glenn M. Cannon